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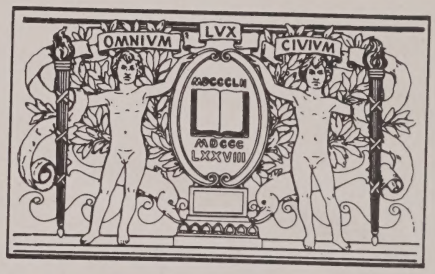

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THE

NORTH AMERICAN REVIEW.

VOL. XCVI.

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No. CXCVIII.

JANUARY, 1863.

ART. I. — 1. *Études sur les Glaciers.* Par LOUIS AGASSIZ. Neufchatel. 1840.

2. *Essai sur les Glaciers et sur le Terrain Erratique du Bassin du Rhone.* Par JEAN DE CHARPENTIER. 1841.

3. *Occasional Papers on the Theory of Glaciers, now first collected and chronologically arranged. With a Prefatory Note on the Recent Progress and Present Aspect of the Theory.* By JAMES D. FORBES, D. C. L., F. R. S., Professor of Natural Philosophy in the University of Edinburgh. Edinburgh: Adam and Charles Black. 1859. 8vo. pp. 278.

4. *The Glaciers of the Alps. Being a Narrative of Excursions and Ascents, an Account of the Origin and Phenomena of Glaciers, and an Exposition of the Physical Principles to which they are related.* By JOHN TYNDALL, F. R. S., Professor of Natural Philosophy in the Royal Institution of Great Britain, and in the Government School of Mines. With Illustrations. Boston: Ticknor and Fields. 1861. pp. 446.

"THE speculations of the natural philosopher," says Sir John Herschel, "however remote they may for a time lead him from beaten tracks and every-day uses, being grounded in the realities of nature, have all of necessity a practical application." Students of natural philosophy are too often condemned as useless speculators by that large class of so-called practical and common-sense persons who see no value in any

pursuit not directly productive of material advantage. Pure science is one thing, applied science another; and we must no more expect a single man to cultivate both, than that the judge having interpreted the law shall descend and execute the details of police duty. Some must perfect tools, while others apply them to daily use; and some must devote themselves to the study of those natural phenomena which make us acquainted with the causes whence proceed the effects upon which our worldly labors depend. It is easy enough to appreciate science when we see it applied to art; but enlightened philosophical liberality will acknowledge and encourage the science before the art is born.

No branch of study will place us in closer connection with the workings of nature, or in a better position to observe how the most delicate physical elements combine to produce the most stupendous results, than that which concerns those vast masses of ice, the glaciers, which, descending from the snow-fields of the higher Alps with slow but irresistible march into the lower valleys, overwhelming villages, mowing down forests, damming rivers, ploughing up the soil, and grinding, grooving, and polishing the rocks over which they pass, finally present the apparent anomaly of a mountain of perpetual ice surrounded by orchards and pastures and fields of grain.

The appearance of the intensely interesting book of Professor Tyndall has induced us to present a brief review of the several glacial theories which have been put forth since 1840, with an exposition of the present state of the question, considered as a matter of physics. We say as a matter of physics, for as such the *cause* of glacier motion must be regarded; although the geologists were the first to enter this field of research, and the *effects* of glacial action, as seen in the modification of surface geology, certainly belong to that science. Of the geological agency of the glaciers in the past and present we do not propose to speak, but refer to the works of Charpentier and Agassiz.

In the ordinary economy of nature, the water which descends from the clouds as rain is disposed of in three ways; — first, by being absorbed into the soil; secondly, by evaporating into the air; and thirdly, by flowing off from the high

lands to the lower in the form of rivers, by which it is carried to the sea, again to be taken up into the air, thus completing the circuit. That these several operations may take place, the water must be liquid. Below a certain temperature the moisture held by the clouds cannot remain liquid, but takes the form of frost, snow, hail, or ice. As we ascend above the surface of the earth, the air becomes colder and colder, so that above a certain line no rain can fall; but whatever the clouds deposit will be snow or hail. Science has shown why the higher are colder than the lower regions, although they are nearer to the source of heat. A portion of the sun's rays strike the earth and are absorbed by it; but another portion are reflected, and serve to warm the atmosphere by which the globe is surrounded. Now the nature of the warm rays from the sun is so modified by their contact with the earth, that, while they find no obstacle in passing down through the atmosphere, they are almost entirely prevented from ascending. This heat descends all day, and so accumulates in and about the earth in a quantity sufficient to prevent any great fall of temperature during the night. As we ascend above the surface, we leave this atmospheric belt beneath us, and with it the warmth confined therein; and at a certain elevation we have little except the direct heat from the sun, which is not sufficient to reduce the snow that falls in these high regions to water. The line above which the snow remains unmelted is, at the equator, from 16,000 to 18,000 feet high. In the polar regions, however, we have a different condition of things. The sun does not rise high at any time, and very little heat is received from it. In the high latitudes snow and ice remain all the year round at the sea level. Thus there are two ways in which we may have what is called perpetual snow, — by going up from the surface, or by going north. Between the equator and the polar circle the snow line diminishes in height as the latitude increases. We shall now be asked, What becomes of the matter deposited by the clouds above the snow line? Why does it not accumulate indefinitely upward? The existence and operation of the glaciers give at once an answer to the question, and, while showing us the process which nature uses to compensate for an ex-

traordinary degree of cold in the present, at the same time point back to a period when that process by a much greater action represented a correspondingly lower temperature, at least over certain parts of our globe.

What the glaciers are may be best seen by a description of one. The group of mountains of which Mont Blanc is the highest peak encloses a vast irregular basin, the average elevation of which is 9,000 feet above the sea, while the surrounding summits rise from 3,000 to 6,000 feet higher. This enclosure is connected with the valley of Chamouni by a long crooked gorge, varying in width from one half to three fourths of a mile, bounded on either side by steep walls of rock, and so inclined that the lower end, where it opens into the valley, is about 3,500 feet above the sea. Let us suppose that we have descended from the mountains, and stand within this great basin. We find ourselves in the midst of a broad sea of snow, the shores of which are steep walls of rock, in some places covered with shining drifts, and in others bare. This snow, as it falls, is generally dry and powdery; but it afterwards changes into a mass of rounded grains of ice, or granular snow, called by the Swiss *Alps-névé*. The cause of this change will be noticed soon. On going out from the basin, we find the granular snow becoming gradually consolidated, and finally giving place to a sort of incompact ice. As we pass down, and get fairly into the narrow gorge, this grows more dense, and comes at last to be hard, brittle, and transparent. We stand, in fact, upon a frozen river, reaching from shore to shore, and having a depth of from 500 to 1,000 feet. As we approach the valley of Chamouni, we are far below the line of perpetual snow, and when we reach the end of our ice-river we find ourselves surrounded by green forests and pastures, with flowers in full bloom. Thus the glacier at its source in the high mountains is a mass of powdery snow, which changes by insensible degrees to a river of solid ice, protruding far below the perpetual-snow line into the cultivated valleys beneath.

The most superficial reader will now ask how this body of ice can maintain its solidity far below the line of perpetual snow, and subject to warm rains and warm weather; for it is

a fact that in many cases glaciers do not decrease, but absolutely increase, — indeed, examples are not wanting of their advancing so far as to sweep away houses, and to encroach on the farms in the low lands. The answer brings us at once to the most interesting fact connected with the whole subject. Strange as it must seem to one who stands upon the river of ice, apparently as rigid as the rocky walls that bound it, the whole mass of the glacier *moves* bodily down the gorge. We have the most ample proof of the nature and amount of this movement. For the present let the following facts suffice. In 1827, M. Hugi built a cabin upon the Lower Aar glacier; in 1860, this cabin was about two miles below the point where it was erected. In 1820, Dr. Hamel lost three guides by an avalanche upon the glacier of Bossons, half-way up Mont Blanc; in 1861, the remains of one of them were found in the valley of Chamouni at the lower end of the glacier. In 1836, a knapsack was lost on the Talèfre glacier, 8,657 feet above the sea; in 1846, the same knapsack was found at an elevation of 7,512 feet, and 4,300 feet from its first position. We may now answer briefly the question, What are the glaciers? by defining them as masses of ice which, originating in the great mountain basins above the line of perpetual snow, move down into the warm regions, and, giving birth to streams of water at their lower extremities, provide the means for that circulation which plays so vital a part in all the operations of nature. Having now this general understanding, let us descend to particulars, and look at the data which have been collected with the view of explaining the formation and action of the glaciers.

We have spoken of the perpetual snow line. By this term is meant the height at which the annual fall of snow is just melted, and no more. Below this the melting is more than the supply, above it the supply more than can melt; though it is not to be supposed that no melting goes on above this line, any more than that no snow falls below it. Some melting takes place even on the highest Alpine peaks, inasmuch as the snow which falls there is generally changed to ice, at least superficially. Were the surface of the earth a uniform plain,

capable of absorbing in all places the same quantity of solar heat, the temperature at any place would be simply as the latitude; and the parallels of latitude would be isothermic lines. The division of the surface of the globe, however, into land and water, mountain and plain, and the operation of various winds and atmospheric currents, cause the lines of equal temperatures to be quite irregular, and to depart very far from the parallels of latitude. The mean temperature of Boston is much lower than that of Rome, although the latitude is very nearly the same. The mean temperature of Washington is very nearly the same as that of London, while the latter place is a dozen degrees north of the former. The elevation of the snow line above the sea is in like manner somewhat irregular, although generally dependent upon the latitude. In Norway it is from 3,000 to 5,000 feet; in the Swiss Alps, from 8,000 to 9,000; and in the Himalayas and the Andes, from 16,000 to 18,000 feet. From this it follows that a group of mountains in one country may produce glaciers, while a group in some other land equally high, and even of the same latitude, shall produce none. The elevation of the snow line in different parts of the world, and the geographical location of the glaciers, may be found well defined in Johnston's Physical Atlas. We will take room here merely to say that they occur in the north and south polar regions, in Spitzbergen, Lapland, Iceland, Norway, in the Pyrenees and the Alps, in the Caucasus, the Altai and the Himalaya Mountains. The icebergs of the Arctic and Antarctic Seas are indeed fragments of enormous glaciers, which, descending from the snowy mountains of the polar continents, break off, and, floating away, reach a climate warm enough to melt them, thus completing the circulation already referred to. A low temperature, though essential to the formation of glaciers, does not alone suffice to produce them. Many high peaks which rise far above the snow line never bear glaciers. It is to the orographic structure, or to the shape and arrangement of a mountain group, that the power of producing large glaciers is to be attributed. The great enclosed basins are an essential feature, but they must be elevated into the region of perpetual snow. When

these conditions are combined, and a low mean temperature is added, we may be sure of a large glacier.*

For convenience in treating of glaciers, they have been generally divided into two orders. Those of the first order lie in the deep valleys, have an inclination of only from 3 to 10 degrees, and are fed by large basins. Those of the second order lie on the flanks of mountains, incline from 15 to 50 degrees, and are not fed by large basins. These last, when they lie upon the sides of a valley enclosing a glacier of the first order, often move down, and, welding themselves to the main trunk, become tributary thereto. The glacial surface is far from being clean and white, like the ice of a frozen river. That part which lies above the snow line, and which has not yet become compact ice, is tolerably uniform and clean; but the lower part, or the glacier proper, is loaded with the rocks and dirt brought down by slides and avalanches from the sides of the valley, and traversed by huge rents called crevasses. The *débris* thrown from the mountains accumulates along the edge of the glacier, until it amounts to a continuous ridge or train of rocks and gravel. Even if there are places where the slopes are so firm as not to break and slide, the motion of the glacier brings each point in succession to those places which furnish material, and thus the continuity of the moraine is preserved. Those trains of rocks which form upon the shores or edges of the glacier are called lateral moraines. We find, however, similar trains in many cases in the central part of the ice, while between the sides and centre the surface will be comparatively clean. This phenomenon is at once explained by following the central or medial moraine towards the source of the glacier. At some point the medial moraine is sure to divide or split lengthwise, each half becoming a lateral moraine for one of the two branches of which the trunk-glacier which has a medial moraine is always composed. Whenever two branches come together, their adjacent lateral moraines also come together, thus forming a medial moraine in the main or trunk glacier. At the lower part of a

* The reader is particularly referred, in this connection, to the *Système Glaciaire*, or *Nouvelles Études*, of Mr. Agassiz.

glacier the moraines are often seen elevated somewhat above the general surface of the ice, presenting thus the appearance of a ridge or spine. This arises from the fact that the rocks and earth protect the ice beneath from the action of the sun, and thus prevent that reduction by melting to which the unprotected surface is subject. This *ablation* amounts to from three to four inches per diem in the summer. In like manner, a single flat rock will so protect the ice beneath it, while the unprotected surface all around, sinking away, leaves the rock perched high upon a column of ice. Mr. Forbes gives a fine example of one of these glacier "tables" where a block 23 feet long, 17 feet wide, and 3½ feet thick, was poised on a column of ice 13 feet high, this apparent elevation having been produced in 37 days.

Crevasses are fissures or rents made in the solid ice at those places where, by unequal straining of the mass, the glacier is subjected to a tension too great for the ice to bear. Such tension is occasioned by a change in the slope of the bed, from one part being obliged to move faster than another, or by pressure, as will be noticed hereafter. The crevasses vary in size, from a few inches wide and a few yards long, to many feet in width, hundreds of feet in length, and very great depths. When the glacier passes over a steep incline, the ice is so rent and shivered as to be quite impassable, presenting a confused mass of icy pyramids. Large glaciers, when but little inclined, have little crevassing. Such masses as the Bossons, on the other hand, are magnificently rent and fissured. The crevasses are extremely useful to the observer, as showing by their position the manner in which the strain has acted, thus revealing the mechanics of the glacier; and also as giving an opportunity of examining the interior of the mass for many feet below the surface. The more compact and brittle the ice, the sharper are the crevasses. Those of the *névé* are large and irregular. The plates accompanying the *Études* of Professor Agassiz give the best idea of the different forms of these fissures, although stereoscopic views are sometimes more effective in producing the peculiar sensation which is excited in the Alpine traveller when he *feels* the crevasse beneath his feet. There are many other less important ex-

ternal phenomena, all of which are carefully described in the later works of Professor Agassiz.

To answer the question, how a body so rigid and solid as ice can *move* through a long, crooked valley, in many cases of very slight inclination, bending around the mountain spurs, and almost flowing like a river, is what we require of the glacial theory. What is the force capable of producing such results, and what is the physical quality of the glacier which allows it to obey this force? Notwithstanding the known fact of motion, even as late as 1840 no person had by careful measurement ascertained either the quantity or the quality of the movement. Some persons had judged of the quantity by the varying position of the lower extremity of the glacier; but this is evidently incorrect, since the motion of that point is a compound phenomenon produced by the real advance on the one hand, and by the melting away of the ice on the other. If the forward motion is equal to the melting, the glacier will appear stationary; and it will apparently advance or retreat as the real motion or the melting away predominates.

The actual data obtained from exact measurements regarding glacial motion are not very extensive; still, they give us enough to deduce with certainty the prominent laws of progression. For precise figures upon this point we are indebted to Agassiz, Forbes, and Tyndall. In September, 1841, Mr. Agassiz commenced the first rigorous operation for ascertaining the motion of a glacier. The example selected was the Lower Aar, which is not only one of the largest in the Alps, but presents nearly all of the phenomena in the most perfect manner, without being distorted by excessive development of any particular feature.* A little below the junction of the two grand affluents, six holes, each ten feet deep, were bored

* The Lower Aar glacier occupies a deep valley, and is composed of two grand affluents, — the Finsteraar descending from the Finsteraarhorn, and the Lauteraar, which is chiefly fed by the snows of the Lauteraarhorn and the Schreckhorn. At the junction it is upwards of 1,500 metres wide, half-way down 1,200, and at the lower end it suddenly contracts from 850 to 580 metres. The length of the lower or trunk glacier is 8,000 metres. The surface is inclined about two degrees at the upper end, four degrees in the middle portion, and eight degrees at the lower part. The extreme lower end falls off more rapidly, however, being inclined nearly forty-five degrees.

in the same straight line across the glacier, and at each of these points a wooden stake was driven into the ice. In July, 1842, the exact displacement of these stakes was measured, with the following result : —

Number of Stake.	Motion in Metres.	Motion in Feet.
1	37.50	125*
2	62.85	210
3	73.65	246
4	80.50	269
5	67.50	225
6	48.00	160

Stake No. 1 was near the Lauteraar side, No. 2 about the middle of the Lauteraar affluent, No. 3 on the Lauteraar side of the medial moraine, No. 4 near the Finsteraar side of the medial moraine, No. 5 about the middle of the Finsteraar affluent, and No. 6 near the Finsteraar shore. This measurement — one of the most complete and satisfactory ever made, since it included so long a period (ten months) and embraced the whole width of the glacier — showed at once both the quantity and the quality of the movement; demonstrating the prime fact that the centre moved much faster than the sides.† In 1841, Mr. Agassiz also fixed the position of five large blocks at such points upon the medial moraine as to embrace nearly the whole length of the glacier. The displacement of these blocks, measured the following year, 1842, showed plainly the general slackening of the velocity of motion from the upper to the lower part of the glacier. Besides the line of six stakes laid out in 1841, in the summer of 1842 a second line of seventeen stakes was put across, with extreme care, about midway of the length of the trunk glacier. This line commenced at once to assume a curve convex to the lower

* In the Boston edition of Mr. Tyndall's "Glaciers of the Alps," these figures have been transposed in printing, so as to read 215 feet; 37.50 metres is according to the *Système Glaciaire.*

† The *idea* of a quicker central motion was distinctly stated by Bishop Rendu in his *Théorie des Glaciers de la Savoie*, published in 1841, in which he says, speaking of the different statements made by the Alpine guides : — "The enormous difference between both results arises from the fact that the latter observations were made at the centre of the glacier, which moves more rapidly, while the former were made at the side, where the ice is retained by the friction against its rocky walls."

end of the valley, the mean daily advance of the point of swiftest motion near the centre being 0.19 metre, or 7½ inches. The deflections of this same line were carefully measured during 1842, 1843, 1844, and 1845, the curve becoming each year more convex,* and, besides giving added proof of the quicker central flow, developing another law of the motion; namely, that the apex of the curve, or the point of maximum speed, is not necessarily in the middle of the glacier, but is sometimes on one side and sometimes on the other, being dependent on the form and direction of the valley, and tending constantly to move towards the convex side of the glacier.†

In 1842, Mr. Agassiz caused the position of eighteen several blocks, eight of which were on the medial moraine, and thus *near* the line of maximum velocity, to be accurately fixed. The motion of these blocks was registered for four years. The mean annual progression, with other elements useful for appreciating the value of this investigation, may be stated as below.

Number of the Block.	Annual Motion.	Width of the Glacier.	Distance below the Junction.
1	38.16	....	260
2	74.36	1500	900
5	77.01	1300	1620
8	67.53	1300	2820
10	70.69	1150	4020
11	56.47	1100	5220
15	38.66	850	6850
17	29.51	580	7650

All of the distances are expressed in metres. These results confirm in the amplest manner the deduction from the five

* The onward movement of this line is well shown in Plate IV. of the *Système Glaciaire*. The same plate shows the tremendous force by which the glacier is dragged round the Rothhorn, wrenching and tearing the ice.

† Mr. Agassiz observes, that it is important to regard this "migration of the centre" when the relative speed of the different parts of a glacier is to be determined, and shows by an example how a number of persons, by selecting points at different distances from the shore, might make either the upper or lower part seem to move fastest. The "Migration" is admirably shown in Plate X. of the *Études*, where the medial moraine of the glacier of Viesch is continually deflected from side to side according to the winding of the valley.

blocks before mentioned, that the motion slackens regularly from the upper to the lower part. No. 1 is, so to speak, in the eddy of the promontory where the junction of the two main branches is made, and, not having got fairly out into the current, has but little motion. No. 10 is probably somewhat accelerated by the entrance at that point of a secondary glacier, which, descending the side of the valley, becomes joined to the main trunk. As regards the varying motion in different seasons, Mr. Agassiz states that the maximum speed is in the spring and the beginning of summer, at which time it exceeds the annual mean; and that it slackens towards winter, and falls below the annual mean.

Mr. Forbes commenced his measurements upon the 26th of June, 1842, and continued them at intervals until September 28th of the same season. The field selected by him was the Mer de Glace of Chamouni. Referring the reader to the map of this glacier in the "Travels through the Alps" or in Johnston's Physical Atlas, for a precise idea of the form and size, we only observe here that it is the outlet of the vast snow-fields enclosed by the Mont Blanc group. The Léchaud and Talèfre glaciers unite first, and the compound thus formed soon after joins the Glacier du Géant at the promontory called the Tacul. From this point the main trunk descends about four miles, varying from a half to three fourths of a mile in width, and finally debouches into the valley of Chamouni at the well-known source of the Arveiron.

The first line laid out was a little below the Montanvert hotel, where the glacier is about 2,300 feet wide. The motion and arrangement of points on this line are shown by the figures below; the first column giving the distance in feet from the side of the glacier, and the second column the mean daily motion in inches from September 17th to 26th.

Distance.	Motion.
300	14.8
690	19.8
915	20.3
1095	20.6

These figures show clearly an increasing velocity as we go

from the sides towards the centre. Mr. Forbes also obtained the velocity of two points, one near the side and one near the centre of each of the principal branches, the Léchaud and the Géant; the quicker central flow in each case being apparent. He further measured several points between the upper and lower end of the trunk-glacier, in order to get the relative velocity of the different regions, and concluded thence that the portion near the lower end moved faster than that above.

It was next desirable to know if the bottom of the glacier was retarded by friction against the bed, as well as the sides. Accordingly, in August, 1846, Mr. Forbes placed three stakes in the ice of the lower end of the Glacier de Bois at Chamouni, which terminates in a face inclined about forty degrees. Upon this slope, at elevations respectively of 13, 59, and 143 feet above the base, three points were fixed, of which the motion from the 13th to the 18th of August was, —

Lower point,	13 ft. high,	2.87 ft.;
Middle point,	59 ft. high,	4.18 ft.;
Upper point,	143 ft. high,	4.66 ft.

At about the same time, namely, from the 13th to the 31st of August, Messrs. Martins and Dollfuss made a measurement of the same kind upon the Grünberg affluent of the Aar glacier. Upon an escarpment twelve metres high, two pegs were put into the ice, one being 1.05 metres and the other 9.27 metres below the surface, both being in the same vertical plane. After the interval above named, the lower peg was 0.20 metre behind the upper one. By far the most satisfactory measurement of this kind, however, was made by Mr. Tyndall in 1857. During that season, the Géant glacier presented near the Tacul a wall of ice, almost vertical, 140 feet high. With extreme difficulty and great risk, one stake was fixed at 4 feet, a second at 35, and a third at 140.8 feet above the bottom. After twenty-four hours, the several stakes had moved as follows: —

Lower point,	4 ft. high,	2.56 in.;
Middle point,	35 ft. high,	4.50 in.;
Upper point,	140.8 ft. high,	6.00 in.;

showing, as in Mr. Forbes's measurement, not only that the bottom was retarded, but that the retardation increased most rapidly near the lower part of the ice.

We come now to the more recent measurements upon the surface of the Mer de Glace, made by Mr. Tyndall in the summer of 1857 and the winter of 1859. This observer ran five complete lines across the Mer de Glace, one across the Géant, and one across the Léchaud tributary. The results obtained were well worth the labor expended. In order to place the measurements in such a light as to show at a glance, not only the movement of each line, but also the passage of the point of swiftest motion from side to side, according to the deflections of the valley, we will arrange three of them as below; the star in each line indicating the point of maximum speed.

The fifth line, at *Trélaporte.*

10, 14¾, 16, 17½, 19½, 19, 19¾, 19¼, 17¼, 16, 15¼, 15, 12¾, 13½, 11¼.
*

The fourth line, at *Les Ponts.*

6½, 8, 12½, 15¼, 15½, 18¾, 18¼, 18¾, 19½, 21, 20½, 23¼, 23¼, 21, 22¼, 17¼, 15.
*

The third line, at *Montanvert.*

19½, 22¾, 28¾, 30¼, 33¼, 28¼, 24½, 25, 25, 18, .. 8½.
*

The several numbers represent the daily motion in inches. The right hand of the page is the west, and the left hand the east; the glacier moving towards the bottom. The fifth line abuts at the west end upon the promontory of Trélaporte, which pushes the glacier over to the east, and at the same time we find the point of maximum velocity on the eastern side of the axis. At the fourth line, the spur called Les Echellets pushes the whole mass back to the west, forcing it into the bay beneath Les Ponts; and at the same time the point of maximum velocity recrosses to the west of the axis. But hardly is the glacier embayed beneath Les Ponts, when it is again forced off to the east by the Montanvert, and the line of maximum speed for the third time crosses the axis, and is found east of the centre line of the glacier. Here what Mr. Agassiz calls the "migration of the centre" is shown in

the most perfect manner. The line traversed by the point of maximum velocity is thus, as described by Mr. Tyndall, "a curve more deeply sinuous than the valley itself, and it crosses the axis of the glacier at each point of contrary flexure."

The measurements of the same observer also give us valuable information regarding the relative motion of the glacier at the different regions, from the source down. The width of the Glacier du Géant at the Tacul is 1,134 yards, and the maximum velocity 13 inches per diem. The Léchaud tributary is 825 yards wide above its junction with the Talèfre, and its maximum speed 9½ inches per diem. The Talèfre tributary has a width of about 638 yards. The total width of the three branches is thus 2,597 yards; the whole of which is squeezed at Trélaporte through a channel 893 yards wide, at a maximum velocity of 19¾ inches per diem.

To ascertain if the same conditions of motion obtained during the winter as in summer, Mr. Tyndall measured one line 80 yards above and another 130 yards below the Montanvert, in December, 1859, with the following result. The maximum on the upper line was 15¾ inches per diem, against about 30 in summer at the same place. The second line showed a maximum of 17½ inches, the summer maximum at the same place being about 35. The swiftest point was also in both cases removed from the centre.

On the small and shallow glaciers lying upon the flanks of mountains, and inclined from fifteen to fifty degrees, measurements have shown that the centre moves faster than the sides, and the top faster than the bottom; but the absolute velocity is much less than that of the large, but slightly inclined glaciers. Where the small masses descend far enough to reach a trunk-glacier in the main valley, abut upon it, and become connected with it, the velocity is checked by the opposing mass in front, so as to be less at that point than nearer the source; but when such glaciers are not opposed by any resistance in front, the velocity is greatest at the lowest portion.

With the exception of a few detached observations, we have now placed before the reader all of the actual field-work illustrative of the quantity of glacial motion. We shall find

hereafter somewhat regarding the quality of motion without making any direct measurements. Before going further, we may lay down the following simple deductions from equally simple experiments. 1. The central part of all glaciers moves faster than the sides. 2. The surface of the glacier moves faster than the lower portion. 3. The point of maximum speed does not necessarily traverse the axis of the glacier, but departs from it according to the form of the valley, moving always towards the convex side of the glacier. 4. The greatest variation in motion is near the sides and near the bottom. 5. The velocity of the Lower Aar glacier decreases regularly from the upper to the lower region, the width decreasing always in the same direction. 6. The Mer de Glace increases in velocity from the upper to the lower end of the trunk-glacier, the width decreasing regularly. 7. The winter motion is slower than that of summer, but the relative motion of the different parts remains constant.

We come now to a portion of our subject far less defined than the preceding, and one upon which observers differ not only upon matters of principle, but upon matters of fact. We refer to the physical nature of the ice of glaciers, — to the quality of the mass, by virtue of which it is enabled to obey the force impressed upon it, and to move. Let us see what phenomena are presented to us in the different regions of the glacier.

All forms of snow fall on the high Alps, flaky, granular, and powdery, the particular form depending upon meteorologic conditions. Great flakes do not fall unless the temperature is above freezing and the weather calm; but let a cold wind arise, and it becomes at once fine and powdery. A combination of the grains produces the elegant forms often seen. The snow does not long preserve its primitive form. As soon as the sun melts the superficial crystals, those next below absorb this moisture, these again when saturated communicate it to their lower neighbors, and the water-soaked grains freeze, round and transparent. This is the *névé;* and this change takes place in the fields of New England as well as among the Alps of Switzerland. All kinds of snow change to *névé*. The time necessary for this transformation depends upon

atmospheric circumstances. Mr. Desor saw a layer of dry, powdery snow a foot deep changed completely into *névé* in a day. Mr. Agassiz considers this operation a new crystallization. The surface water, he says, penetrating the snow, finds there a finely crystalline mass; one part of these crystals is melted by it, the other part becomes the foundation for the *névé* grains. The larger grains appropriate the water produced by the meeting of the smaller ones. The conditions required are a temperature high enough to cause this partial melting, but not enough to reduce all of the snow to water. By light watering we can make an artificial *névé;* but if we pour on too much water, it runs through to the lower part and freezes there. The spring crust in New England is frozen *névé;* the true *névé* is below it, a dry, granular, incoherent mass of icy particles. As melting goes on, these grains increase in size, and finally become cemented together, thus producing a sort of conglomerate ice, in which the original *névé* grains are plainly visible, the intergranular spaces being filled with an opaque aerated ice, which melts away when exposed to the sun, leaving the grains as they were before cementation. This conglomerate is less dense than ordinary ice, of a dull white color, and having a certain toughness (*terne et coriace*, Agassiz). The *névé* ice is, however, but a superficial phenomenon; the effect of cold in freezing the grains together is not felt to any great depth. As we descend into the mass of the *névé*, the ice becomes more compact and transparent, less aerated, and, in fine, more like true glacial ice. It is consolidated by the immense pressure of the mass above, — an operation which can be imitated by an hydraulic press, in which we may consolidate damp snow to a slab of clear ice.

As regards the real compact ice of the lower glacier, Mr. Agassiz gives us the following.

"The real glacier ice is a different thing from the ice of rivers; it develops by an insensible passage from the *névé*. It is more compact, shows no trace of granular structure, the air is collected into little bubbles, while the ice between the bubbles is perfectly transparent. It is traversed by a network of capillary fissures, by means of which water infiltrates to great depths into the glacier. These fissures divide the mass into irregular angular fragments, varying in size from

half an inch in the upper part to three inches in diameter in the lower regions of the glacier. When these capillaries are full of water, they are not easily seen; but when the water is drained off and the air occupies its place, they are quite plain, and the ice becomes more opaque. When filled with water, they give the ice a certain plasticity, which, so long as the water is not frozen, causes it to be of a loose nature; a knife-blade may even be introduced into the mass without separating the pieces."

Mr. Forbes observes: —

"The glacier ice is eminently fragile. This condition depends upon the ice being traversed by an infinity of capillary fissures, generally invisible, but which become distinctly seen whenever the ice is exposed to sudden changes of temperature. The glacier consists of a series of tightly wedged polyhedrons, of the most irregular forms, often three inches or more in length, and of which a bunch may be held connectedly together until by melting they become disengaged. But while the pieces remain thus connected, the fissures impart to the mass a certain rude flexibility within small limits. Hence a glacier is not a mass of solid ice, but of ice and water, more or less yielding according to its state of wetness or infiltration." *

Regarding the origin of the fissures, Mr. Agassiz in his earlier work attributed them to the compression of the air-bubbles; but in his later volume he substitutes for that explanation "the pressures and tensions consequent upon the variations of temperature." While the ice remains granular, he says, infiltration goes on regularly through the mass; but when the ice, becoming compact, loses the granular structure, this infiltration is arrested; and when the water thus entrapped freezes, it splits the ice. This new fissure again fills and freezes, and produces new cracks, and so on until the network is complete.† In proof of the existence and character of these capillaries, Mr. Agassiz gives the detail of experiments made upon pieces of ice taken from various depths on the Aar gla-

* "I therefore freely admit, what I formerly doubted, that a glacier is penetrated in summer to a great depth by water, which saturates all its pores." — Forbes, *Travels through the Alps*.

"Le glacier est comparable à une immense éponge." — Agassiz.

† "La congélation de l'eau absorbée, produit ainsi dans toute la masse du glacier, une tension excessive, qui, etant plus ou moins inégale, occasionne une multitude innombrable de fêlures, ou fissures capillaires, lesquelles s'étendent en tous sens et se croisent sous les angles les plus divers." — Charpentier, *Essai*, p. 12.

cier, with colored liquids, which were infiltrated through the capillaries. These experiments are admirably illustrated in the plates to his later work. The same observer says: "If we take a piece of the most transparent ice from the bottom of a crevasse, and place it on a rock, we shall see the capillary fissures appear first on the surface and then gradually spread downwards to the base. If we then turn it over and water it, they will disappear. The block will be transparent so long as it is soaked."

Strikingly in contrast with the preceding are the conclusions of Messrs. Tyndall and Huxley as given by the former,* where the experiments of Mr. Huxley with colored liquids upon the ice of the Mer de Glace so failed to discover the fissures, that Mr. Tyndall writes: "Thus the very existence of these capillaries is rendered so questionable, that no theory of glacier-motion which invokes their aid could be considered satisfactory"; — an observation, however, which does not accord with a remark upon page 163 of the same work, where the author states that an examination of the structure of the ice of the Allelein glacier taught him that it was composed of an aggregate of small fragments, and that, where the ice was partially weathered, the surfaces of division between the fragments could be traced through the coherent mass. In a paper upon "Some Physical Properties of Ice," by Mr. Tyndall,† he speaks of examining a piece of ice which he found "traversed by hazy surfaces of discontinuity, which divided the apparently continuous mass into irregular prismatic segments." Again, in a paper "On the Veined Structure of Glaciers," ‡

* The Glaciers of the Alps, p. 339.

† Philosophical Trans., Vol. CXLVIII. [1858,] pp. 211–227.

‡ Phil. Trans., Vol. CXLIX. [1859,] p. 279. Besides the extract above, this paper contains the following: — "From the constitution which the foregoing observations assign to glacier ice, this disintegration seems natural. The substance is composed of fragments which are virtually crystallized in different planes; and it is not to be expected that the union along the surfaces, though they may be invisible when the ice is sound, is as intimate as that among the different parts of a mass homogeneously crystallized. Besides, ice no doubt, and all uniaxial crystals, expands by augmentation of temperature differently in different directions, and hence a differential motion of the particles on both sides of the above surfaces, when the volume of the substance is changed by heat or cold, is unavoidable. Such surfaces would then become surfaces of discontinuity, and perhaps produce that granular condition which has occupied so much attention."

he says of a piece of ice from the Allelein glacier: "On reference to Mr. Agassiz's figure, it will be quite manifest that we are dealing with the same phenomenon." (As indeed it is from his sketch.) "We have the division of the ice into angular fragments," &c. And subsequently, in the same paper, he says: "The ice of glaciers is sometimes disintegrated to a great depth, causing it to resemble an aggregate of jointed polyhedra more than a coherent solid." Mr. Huxley, in a letter to Mr. Tyndall, says: —

"It is a remarkable feature of glacier ice, that it is liable to weather in a peculiar manner, becoming fissured and breaking up into irregular fragments to a certain depth; that at eight or ten inches deep the ice always appears smooth, glassy, and without the least trace of fissures, but the superficial portion is separated by very obvious fissures, so fitted into one another as to cohere with some firmness." *

Notwithstanding the above, Mr. Huxley concludes with the remark, that not one of Mr. Agassiz's experiments affords the slightest evidence that capillary fissures are a primitive and essential constituent of the structure of the deep ice of a glacier. Mr. John Ball, however, writes: "Pending further observations, which I trust Mr. Huxley may be induced to make, I shall venture to adhere to the belief that the irregular network of fissures which pervades the surface of the ice when exposed to air and warmth, represents a structure already existing in the ice before it came to the surface; and that former fissures, although possibly closed so as to show no trace under the microscope, may yet be surfaces of easy melting, which on the first application of heat are recalled into existence." † Mr. Agassiz says, that, in moving the rocks of a moraine, we generally find the ice smooth, dark, and compact, showing no trace of fracture; that, after being exposed a few moments to the light and heat, the fissures appear and show the angular fragments; but that, on again covering the ice, the fissures vanish. Peculiar conditions doubtless render the fissures apparent or non-apparent; and though we may

* Phil. Mag., 1857, Vol. XIV. p. 241, "The Structure of Glacier Ice."

† Phil. Mag., Vol. XIV. [1857,] p. 481, "Observations on the Structure of Glaciers."

not be able to assign the cause of their formation, or to say what part they play in glacial physics, the fact of their existence does not, we think, admit of doubt.*

The color of the ice depends upon the quantity of air mixed with it, in the shape of small bubbles, being more blue and dense as the bubbles are expelled, and more white as the bubbles are numerous; just as blue water becomes white by beating it into froth, thus mixing it with air. The form and position of these bubbles, as described by Mr. Agassiz, would seem to be an index to the forces which have acted on the mass of the glacier. He describes them as round or ovoidal at the surface and in the higher regions, but as flattened and compressed both in the depths and in the lower regions of the glacier, where the ice is most compact. But the most remarkable fact is, that while the bubbles in a single angular fragment are all flattened in the same direction, in two adjoining fragments the direction will be entirely different. Each angular fragment has thus its system of bubbles, and its direction in which those bubbles are flattened. Mr. Agassiz states, that at depths of over two hundred feet he has found these bubbles almost flat, similar to those above, and that in fragments from a great depth all the bubbles without exception are strongly flattened. It would seem from the observations of Mr. Tyndall, who has looked at the intimate structure of

* Professor Erman of Berlin, in a letter to Mr. Tyndall, published in the Philosophical Magazine, Vol. XVII. p. 405, [1859,] on the structural division of ice observed on Lake Baikal, in Siberia, describes it as divided into hexagonal prisms.

General J. G. Totten, U. S. A., read a paper before the American Association for the Advancement of Science, in August, 1859, (Am. Jour. Sci., Vol. XXVIII. p. 359,) on the dissolution of the ice of our Northern lakes, in which he says: "The ice broke up in a single night, and next morning was found in the shape of prismatic fragments, of which the length was equal to the thickness of the mass of which they had been a part. The sides of the fragments were irregular as to size and form, the breadth or thickness varying from $\frac{3}{4}$ to $1\frac{1}{2}$ inches in the same prism. Examination then and afterwards of floating fresh-water ice has shown that the natural effect of the advancing year is gradually to transform ice, solid and apparently homogeneous, into an aggregation of the irregular prismatic crystals, standing in vertical juxtaposition, having few surfaces of contact, but touching at the edges."

In the Am. Jour. Sci., Vol. XXIX. p. 111, [1860,] Mr. Charles Whittlesey, of Cleveland, Ohio, presents a paper on the dissolution of field ice, in which he describes a cube of Lake Superior ice, thirty inches to the side, disintegrating in half a day to a mass of triangular and rectangular prisms. The planes of division he supposes to have existed in the solid ice as the result of the crystallization in freezing.

ice more closely than any other glacialist, that two phenomena have been confounded by Mr. Agassiz under the head of air-bubbles. All observers agree in finding cells in glacial ice containing air and water, the former floating as a little bubble in the latter; but to Mr. Tyndall we owe the discovery of the real nature of the more frequent and more important phenomenon, the vacuum disks. These are small cavities formed by internal liquefaction, and they strongly resemble flattened bubbles,* but in reality are only the decomposing of the original crystallization of the ice. Such disks always lie in planes parallel to the plane of freezing. They are formed in all kinds of ice. Now Messrs. Agassiz, Tyndall, Huxley, Ball, and all other observers, agree in the fact that these disks are arranged in groups, and that, while all the disks of each group are flattened in the same direction, no sort of parallelism exists between the direction of the disks of different groups. These groups are the angular fragments of Mr. Agassiz, although the separating fissures, as before noticed, are not always visible. This explanation, though to a certain extent† removing the need of accounting for the different pressures which were supposed to have flattened the bubbles, demands instead the cause of the varying positions of the planes of freezing. Although Mr. Tyndall developed the disks by sending a condensed beam of sunlight into a piece of lake ice, they are found equally perfect under glacial moraines, and in places where no light can come. This, however, is not surprising, since they seem to be an essential constituent of the ice, and only await the proper conditions to become developed.

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* Glaciers of the Alps, pp. 353 – 361; also Phil. Trans. Roy. Soc., Vol. CXLVIII. [1858,] pp. 211 – 227.

† We say *to a certain extent;* for Mr. Tyndall remarks, that the compound air and water cells are also flattened in the direction of the apparent flattening of the disks. Phil. Trans., Vol. CXLIX. p. 279.

The simple distortion of bubbles does not, perhaps, indicate the pressure which might be inferred; since we may see in the blocks of ice left at our doors in the morning bubbles apparently drawn out to long cylinders, the direction of the length being perpendicular to the plane of freezing. We have seen the small bubbles in a glass jar, filled with frozen water, so drawn out as to resemble fine silver threads, a fourth of an inch long, and inclined at different angles, but all pointing towards the axis of the jar. We are indeed surrounded by phenomena the most wonderful, which only await the opening of our eyes to be clearly seen.

The next important feature which presents itself is the veined or ribboned structure, or the blue bands. We find in almost every part of all glaciers the general mass of white ice traversed by narrow and tolerably regular bands of a clear, blue, transparent ice. Upon tracing these bands until we come to a crevasse, we see that they penetrate to great depths, and are, in fine, laminæ of a more dense and less aerated ice, standing generally at a high angle, and cropping out upon the surface of the glacier. They vary from less than a tenth of an inch to several inches in thickness, and from one foot to many yards in length. They are dislocated by crevasses, as stratified rocks are by faults. They are sometimes parallel with and sometimes transverse to the length of the glacier, sometimes straight and sometimes curved, in some places very close and frequent, and in others almost wanting. Mr. Agassiz attributed the existence of these bands to the freezing of water in previously formed fissures. Mr. Forbes at first supposed them to have the same origin, the fissures being formed by the differential motion of the ice; but he afterwards rejected the freezing of the water, as observation showed the internal glacial temperature to be too high to allow this, and considered the fissures to be reunited "by the simple effects of time and cohesion." He subsequently, however, substituted for this a new cause, which, as well as the explanation of Mr. Tyndall, will be noticed soon.

Upon no portion of glacial physics has there been greater difference among observers than with regard to stratification. All agree that certain horizontal beds occur in the regions of the *névé;* but Mr. Agassiz alone maintains that this primitive bedding continues under different forms throughout the whole extent of the glacier. It appears to us that several distinct phenomena have been confounded by observers under the head of stratification. In his later work Mr. Agassiz says: —

"When we climb to some height above a glacier, we see on its surface a series of lines shaped as more or less sharp curves; they are found in all glaciers without exception, and when we have once got their form from a distance, nothing is easier than to trace them. If now we descend on to the glacier, we perceive that the sand or gravel which renders them visible is attached to a continued fissure, which

gives place on the edges of the crevasses to a band of compact ice, mixed with this same gravel, which often penetrates to a great depth. It is thus evident that it is not the sand, but the fissure, which constitutes the essential fact. Now when we give particular attention, we remark, as well on the surface as in the crevasses, similar fissures, but not all containing the same quantity of foreign bodies. It is those containing the most that Mr. Forbes calls dirt-bands. These bands are not, as he thinks, the effect of unequal disintegration of certain parts of the glacier; they attach to the interstices of the beds, which gain the surface in the order of their succession, and under different angles."

In 1842, Mr. Forbes thus described the "Dirt-Bands" of the Mer de Glace: —

"One afternoon I happened to ascend higher than usual above the level of the Mer de Glace, and was struck by the appearance of discolored bands traversing its surface. These shades, too indistinct to be noticed when near or upon the glacier, except upon very careful inspection, are very striking and beautiful when seen at a distance, by a light not too strong. There are evidently bands of dirt upon the surface of the ice, having nearly the form of very elongated parabolas merging in the moraines on either side."

These bands Mr. Forbes first considered due to alternate sections of hard and soft ice, the latter retaining the dirt, but the former being washed clean by rains. Mr. Tyndall, however, showed that in this Mr. Forbes mistook the effect for the cause; since the grains of sand and gravel which formed the "Dirt-Band," by absorbing the solar heat, melted into the ice, and gave it a false appearance of porosity. Indeed, Mr. Forbes himself, in a later publication, says distinctly, that the bands are due to mechanical causes alone, and to no variation of internal consistency. Mr. Tyndall also plainly points out the cause of these bands, and thus enables us to dismiss them at once as a local phenomenon. They are produced by the periodical breaking of the back of the glacier as it goes over an ice fall, thus dividing the mass below into a series of ridges and hollows, which latter receive the dirt blown on to the glacier. Finally, as the whole mass descends, the ridges are toned down, so that little except the bands of dirt are left, and the quicker flow of the central part curves these to the parabolic form described by Mr. Forbes. The ice-fall is upon the

Géant tributary, and it is to that branch, even after confluence, that the bands are confined. Notwithstanding, therefore, that Mr. Agassiz seems to consider his dirt *lines* the same thing as Mr. Forbes's dirt *bands*, it is sufficiently evident that they are quite distinct. The bands are many feet in width, the lines only a few inches; the bands are superficial and local, the lines general and integral. The lines of Mr. Agassiz are simply the outcropping of highly inclined thin beds of compact ice mixed with sand and gravel, and according to him separating the original beds of stratification.

From what has preceded, it will be seen that the thin beds of dense ice thus described have much in common with the blue bands. Each is seen by its outcropping on the surface as a narrow band of ice more compact than the surrounding mass; each is seen in the crevasses to be highly inclined, and to reach to great depths; and they are found generally to be parallel to one another. On the other hand, according to Mr. Agassiz, the beds are found in all parts of the glacier, are regularly spaced, extend over great distances, and contain the sand and gravel before mentioned; the bands, on the other hand, are confined to certain regions, are not equally spaced, do not extend continuously over long distances, and rarely contain foreign bodies. Mr. Agassiz is the only person who has observed the beds; all have observed the bands. The outcropping of the beds is represented on the surface as a line a few inches wide of compact ice. These lines near the source of the glacier cross nearly straight from side to side; but lower down, from the quicker central flow, they become curved, the apex of the curve corresponding to the point of maximum velocity. A glacier formed of two or more branches will show two or more systems of these curved lines, side by side, though after a while the curves combine. The physiology of motion is admirably shown in the Lower Aar glacier, which below the Abschwung is composed of fourteen affluents, each having its own system of contour lines, besides four small tributary glaciers from the right bank, each bringing down its contours at right angles to the motion of the trunk-glacier.

The inclination of the structure, whether we call it beds or bands, is an important feature. All observers agree in find-

ing the angle at which these thin laminæ stand, large (even vertical) in the middle region of the glacier, and less as the lower end is approached. Mr. Agassiz gives the inclination of the structure of the Lower Aar, a little below the junction of the grand affluents, as from 85 to 90 degrees, and as regularly flattening till at the lower end it is only 20 degrees. The same thing is recorded by all observers upon all glaciers; and the change is accounted for by the friction of the ice against the bottom, which retards the lower part, while the upper portion moves on unimpeded. This seems reasonable; but the fundamental difficulty, as Mr. Agassiz justly calls it, is to account for the vertical position in the start. In the *névé* the strata must be, and are known to be, horizontal; the question is, How can they change from that position to vertical, when the tendency is to produce a directly opposite result? Except Mr. Agassiz, we believe all deny the permanence of the original stratification, and thus relieve themselves from answering this question; and even he acknowledges the extreme difficulty of tracing the structure from the *névé* to where the vertical bedding or veining first appears. Of course we cannot be expected to admit the change from simply seeing the horizontal beds of the *névé* and the vertical bands of the middle glacier. We demand some intermediate steps in the process. These Mr. Agassiz professes to give us. He shows us a well (*puit*) 16 metres deep, near the confluence of the two main branches, in which at different depths we see the thin beds of compact ice inclined about 30 degrees, while at a few hundred yards below the angle is nearly 90 degrees, or vertical. There are reasons why this evidence is not satisfactory. First, we are told that nearly at the same point the general inclination is from 85 to 90 degrees; next, that perhaps there is no glacier where the angle does not vary from 20 to 90 degrees, and that not only in great distances, but from one bed to another; and, finally, that even the same bed varies considerably as we observe it at the sides or the summit of the arc. Mr. Agassiz himself says: "I have seen in the chevrons of the Lauteraar an example where the summit was inclined 20 degrees, while the sides at ten metres' distance were at an angle of 60 degrees."

We do not think that the observed facts warrant the belief that the beds *are* less inclined above the middle region of the glacier; and until this is clearly proved, it seems hardly worth while to search for the cause of such a variation. There is another objection to believing the beds in the lower glacier to be a modification of the *névé* stratification. The horizontal layers observed in the upper regions by all who have examined the glaciers are in no place represented as more than one or two feet deep; while, if the lines of compact ice drawn upon the plan of the Lower Aar by Mr. Agassiz show the planes of separation of the annual beds, these layers would be nearer five hundred feet thick.*

Mr. Agassiz observes, that in the upper part of glaciers we can count the *névé* beds as far down the crevasses as we can see. Mr. Forbes says, that below a very small depth, compared to the vast vertical sections exposed in some places, the *névé* stratification disappears, the interior of the mass being granular, and without structure of any kind. Messrs. Agassiz, Forbes, and Tyndall all give examples where the horizontal bedding and the blue bands, nearly vertical, occur in the same place. No person except Mr. Agassiz distinguishes the thin beds of compact ice, containing sand and gravel; the only structure remarked by other observers being the blue bands. The strongest fact against the permanence of the original stratification is, that when a glacier is broken entirely to pieces, sometimes even to powder, by going over a precipice, as in the Rhone Schwartzwald and La Brenva, the blue bands come out as fresh as ever below the fall, in a nearly vertical position, as soon as the ice consolidates by pressure. Mr. Agassiz considers this reformation of structure as confirming the idea of the continuance of the original bedding, and as showing an inherent tendency in the ice to stratify; but here we believe the Professor is quite at fault, since the structure which ap-

* Mr. John Ball observes (Phil. Mag., Vol. XIV. [1857,] p. 481, Suppl.): "The *névé* strata cannot represent annual beds, because they are in some cases only six or eight inches deep; while, to account for the average annual fall of sixty feet, they should be as much as eight feet thick." He concludes that the beds represent each considerable fall of snow, but not *annual* deposits; and he thus accounts for the varying depth, and the different degrees of glacification observed.

pears below the ice-fall is plainly vertical blue bands, and no horizontal stratification at all.

We should bear in mind, that our real knowledge is extremely small as to the depths of a glacier. All of our theories of the structure and physiology of these vast bodies of ice, it may be over a thousand feet deep, are founded upon what we can see in the upper five or ten per cent of that depth. Now the measurements show the chief part of the retardation upon the surface to be near the shore; analogy would lead us to infer a similar action near the bottom; so that, as we may have a line almost straight in the middle of a wide glacier, but very much curved near the sides, so we might have a vertical line from the top to near the bottom. Indeed, the holes called *moulins* are sensibly vertical to great depths; and yet Mr. Tyndall's measurements show that they partake of the general movement of the glacier. Mr. Forbes observes that the upper part may remain almost unaffected by the movement (i. e. unaffected by any differential motion in the vertical plane).

Having now seen somewhat of the observed data, let us look at the different theories which have been proposed to account for the motion of glaciers. If the mere search for truth had been the actuating force which has moved the several investigators in this matter, the task of reviewing their labors would be simple. In the outset, this doubtless was the end proposed; the temptation, however, to digress in order to obtain personal reputation, and the pleasure of knocking over the theory of a fellow-laborer, added to a desire to reap the harvest in the shape of a completed solution of the problem, rather than to sow the seeds by a careful collection of data, has prevented that cordial co-operation among the leading glacialists which ought always to be found among philosophers. The object of reviewing the labors of the distinguished men whose names are connected with the subject before us, is to show the part which each has taken in furnishing a correct theory of glacier motion, and is in no way intended to express their present views, inasmuch as some of them have long since withdrawn from active labor in this department. We must not tie an observer too closely down to his own

writings. In commencing a new study, we have to assume much, and we use terms as we can best apply them. Even if our assumptions are proved wrong, and our terms have been misapplied, they have yet been useful. A rude and imperfect theory often furnishes the stand-point from which we collect and arrange our data. Astrology, Cosmogony, and Alchemy were the forerunners of Astronomy, Geology, and Chemistry. We are not to blame for *putting forth* crude ideas, but for *retaining* them. An impartial investigator will see what *is*, sooner than what he *desires*. He will not look at Nature with a vision distorted and a mind prejudiced by favorite opinions. He will endeavor to bring his mind into harmony with Nature, and when he has done this, he can read aright the broad volume she has spread out before him. We hope, in what follows, to treat the several authors who have contributed to the establishment of the glacial theory with the utmost impartiality. Such at least is our intention.

Scheuchzer, a Zurich savant, in 1705 advanced the theory that the motion of glaciers was produced by the freezing of infiltrated water, which, by dilating and thus enlarging the whole mass, caused the glacier to move in the direction of least resistance, namely, down hill. Altmann and Grüner, in 1760, supposed that the glacier slid down its inclined bed from the effect of gravity. This theory was accepted by the great Alpine naturalist, De Saussure of Geneva, in 1799. He also believed the motion to be aided by the lubrication of the bed over which the glacier slid, by means of water obtained from the melting of the ice in contact with the soil. Hugi — author of *Naturhistorische Alpenreise* — believed the motion due to an interior labor (*travail*) of the glacier. Jean de Charpentier, Director of Mines in the Canton Vaud, embraced the dilatation theory of Scheuchzer. Agassiz also attributed the motion to the dilatation of water infiltrated into the mass, in his earlier work (*Études*, 1840); but near the close of his later work (*Système*, 1847), he says that each of the agents which has been considered the chief cause has part in producing the motion; that the slope of the bed is a condition of progression, but that it does not determine the speed; that the plasticity of the ice is another condition, not

less essential, since it allows a body like ice to move over very gentle slopes; and he concludes by saying that dilatation comes in as a motive force, when the plasticity is reduced to a minimum. Bishop Rendu of Annecy, in 1841, without putting forth any one theory as correct, proposes in the form of questions all of the different explanations, not even excepting the semi-fluid doctrine of Mr. Forbes, published two years later.* Since observation has shown that glaciers move in the severest winters, and that the internal temperature of the mass is not low enough to freeze the infiltrated water, we need not occupy ourselves with the theory of dilatation. Further, as great inclination has little or no effect on progression, and as the rudest examination is sufficient to repel the idea that a rigid mass of ice can slide through a crooked valley, we may dismiss the explanation which relies upon sliding. We have remaining the theories of Forbes and of Tyndall; which we proceed to examine.

In 1843 Mr. Forbes published his "Travels through the Alps," containing the viscous theory, as it has been called, of glacier motion, which is thus defined by its author: —

"My theory of glacier motion is this. A glacier is an imperfect fluid, or a viscous body, which is urged down slopes of a certain inclination by the mutual pressure of its parts. The sort of consistency to which we refer may be illustrated by moderately thick mortar, or the contents of a tar-barrel, poured into a sloping channel. The extremes of viscosity are perfect fluidity and perfect rigidity. A body may be viscous enough to move under great pressure, which alone would stand still. When the semi-fluid ice inclines to solidity, during a frost, its motion is checked; if its fluidity is increased by a thaw, its motion is instantly accelerated. Its motion is greater in summer than

* "Marche-t-il ensemble comme un bloc de marbre sur un plan incliné? Avance-t-il par parties brisées comme les cailloux qui se suivent dans les coulois des montagnes? S-affaisse-t-il sur lui même pour couler le long des pentes comme le ferait une lave a la fois ductile et liquide? Les parties qui se détachent vers les pentes rapides suffisent-elles à imprimer du mouvement à celles qui reposent sur une surface horizontale? Je l'ignore. Peut-être encore pourrait on dire que dans les grands froids l'eau qui remplit les nombreuses crevasses transversales du glacier venant à se congeler prend son accroissement de volume ordinaire, pousse les parois qui la contiennent, et produit ainsi un mouvement vers le bas du canal d'ecoulement." — Rendu, *Théorie des Glaciers de la Savoie*, p. 93.

in winter, because its fluidity is greater. The motion does not cease in winter, because the winter's cold penetrates the ice only to a limited extent. The veined structure is a consequence of the viscous theory. Any particle, in a fluid or semi-fluid mass, urged by a force from above, does not necessarily move in the direction in which the force impels it; — it moves *diagonally:* forwards, in consequence of the impulse; upwards, in consequence of the resistance directly in front; — thence a series of surfaces of separation rising towards the surface, varied in curvature by the law of the velocity of the different layers of the glacier. Near the head of the glacier, where the resistance in front is enormous, the separation planes will be highly inclined; as the lower end is approached, the frontal resistance continually diminishes, and the line of least resistance becomes more and more horizontal; finally, when the lower end is reached, the planes fall away altogether, and the upper layers roll over the lower ones. The crevices formed by the forced separation of a half-rigid mass, whose parts are compelled to move with different velocities, are united by the effect of time and cohesion, and thus produce the blue bands."

The mean daily lowering of the glacial surface in summer varies from three to over four inches. In one hundred days this would amount to about thirty feet.* Notwithstanding this, the absolute height does not vary much from year to year, so that this ablation must in some way be compensated, otherwise the glacier would taper out to a wedge.† This compensation Mr. Forbes makes by the swelling of the lower part of the glacier by compression. He considers the resistance to motion as increasing from the upper to the lower regions, on account of accumulating friction. The ice is thus squeezed forward and upward against the mass in front, producing a condensation longitudinally, and a consequent swelling upward, — an effect evidently exactly opposed to the reduction of the surface by melting. Whether this explanation is correct or not can be decided only after we have some

* The large glacier table shown in the frontispiece to Mr. Forbes's "Travels" was elevated thirteen feet in thirty-seven days, from June 30 to August 6, four and a quarter inches per day; or rather the general surface of the glacier was reduced by that amount.

† Suppose the Mer de Glace to be four miles, or about twenty thousand feet long, and to move five hundred feet per annum, the surface being reduced thirty feet each season. A given point would be forty years in moving the length of the glacier, in which time it would have melted down no less than twelve hundred feet.

extended and careful levels from a fixed bench-mark to the surface of the ice, in connection with the observations on the relative motion of the different regions upon the same glacier, besides a record of the reduction of the surface at different points.

Mr. Forbes illustrated his theory by models made of plaster and glue, so mixed and colored as to show the internal details of the motion of the mass under different conditions. The results obtained from the models show plainly that in a plastic mass the centre moved faster than the sides, that the top moved faster than the bottom, that a retardation in front resulted in a swelling upwards, and that alternate layers of white and blue paste assumed somewhat the form of the blue bands in a glacier; namely, curved from shore to centre, and inclined less and less as the lower end was approached. From the analogy thus established between the glacier and the model, Mr. Forbes concluded that the ice was a viscous mass, urged onward by the mutual pressure of its parts.

There has been much dispute as to what constitutes the theory of Mr. Forbes; but, if we understand his writings, it is that *the cause of glacier motion is the viscosity of glacier ice*. We should not wish to confine Mr. Forbes too closely to his own term, *viscous*, especially as he seems disposed in his later works to substitute *plastic*. Indeed, if the theory rests upon the viscosity of ice, we should have only to show that in no instance whatever has it been found to possess the qualities which would entitle it to this term, and the theory would vanish, leaving Mr. Forbes as a simple observer who has furnished a few facts, and not as a contributor to the explanation of the cause of glacier motion. If, however, he is content to have discovered that glaciers have a quality so far equivalent to viscosity as to allow the quasi semi-fluid motion, we can easily accept this, and can plainly allow him a good share in the solution of the glacier problem. It has been said that Mr. Forbes's theory does not depend on a word, but that it is "a compendious epitome of a multitude of observed facts," and that it is "the congeries of facts which he has observed." We are aware of no person who tries so hard to make it depend upon a word as Mr. Forbes himself, yet with-

out giving a very definite meaning to that word. *Viscous* is defined as *sticky*, *adhesive*, *glutinous*, *tenacious; plastic*, as *capable of being moulded*. According to these definitions, although ice may be plastic, it can in no way be called viscous. As to Mr. Forbes's theory being a collection of observed facts, we might as well call the astronomical data furnished to Newton the law of gravitation. Certainly no amount of facts can ever constitute a theory. It is only when, by co-ordinating the observed data, we rise above phenomena to causes, that we can be said to have reached a theory in any science. Mr. Forbes has labored harder to find analogies between glaciers and really viscous bodies, than to ascertain the true nature of glacial ice. It is hard to learn from his writings what he does believe. Making all due allowance for papers written disconnectedly during the course of ten years, the statements in his "Occasional Papers" are, to say the least, puzzling. For example, in the "Summary of Evidence adduced in favor of the Plastic or Viscous Theory of Glacier Motion," we have the following: — "A glacier is not a mass of solid ice, but a compound of ice and water more or less yielding according to its state of wetness or infiltration." "A glacier is not coherent ice, but a granular compound of ice and water." "It is clearly proved by the experiments of Agassiz and others, that the glacier is not a mass of ice, but of ice and water; the latter percolating freely through the crevices of the former to all depths of the glacier." "The water in the crevices does not constitute the glacier, but only the principal vehicle of the force which acts on it." "If it were not for the capillarity of the ducts, it is plain that no effective hydrostatic pressure would be developed at all." "The function of the infiltrated water seems to be that of preserving the whole ice in that state of softness which immediately precedes its dissolution, as well as of conveying hydrostatic pressure." Speaking of the motion of the Mer de Glace, he writes: "It took no real start, until the frost had given way, and the tumultuous course of the Arveiron showed that its veins were again filled with the circulating medium to which the glacier, like the organic frame, owes its energy." From the above, we should say that Mr. Forbes considered

water essential to the glacial structure; but in the same volume he says: "I have nowhere affirmed the presence of liquid water to be a *sine qua non* to the plastic motion of glaciers." And also: "The ribboned structure presented by all glaciers appears to be the only true essential structure which they possess. The existence of granules divided by capillary fissures, as well as of large crevasses, are equally unessential to glacial structure." "A glacier is not a mass of fragments. As the analogy of the glacier to a river in which the fluid principle is greatly in defect, and the cohering or viscous principle is greatly in excess, is the theory which I maintain, it is evident that the analogy of a stream of sand or loose materials shot from a cart, or any other comparison with an aggregate of incoherent fragments or individual masses, must be wrong, if mine be right. And I feel confident, not only that such an incoherent mass could not move after the manner of a glacier, but also that attentive inspection of a glacier at once contradicts such an idea." Mr. Forbes has a most convenient mode of reconciling the seemingly most contradictory statements under the comprehensive remark, that viscosity ranges all the way from perfect fluidity to perfect rigidity. Under such definition, of course, glacial ice, as well as glass, is viscous. Thus, whatever we find regarding the nature of ice, we must at least admit the so-called theory to be sufficiently viscous.

The fact that a glacier moves generally as a semi-fluid mass no more proves ice to be a semi-fluid, than the fact that a wooden beam obeys the same general law of deflection as a cast iron beam proves wood to be a crystalline substance. Beside the measurements of Mr. Forbes showing the quicker central and surface motion, the only fact he has given to indicate analogy between a glacier and a semi-fluid mass, or, as he expresses it, the plasticity of ice on a large scale, is the putting a straight line, ninety feet long, divided by small pins into forty-five equal spaces, upon a compact and well-developed portion of the Mer de Glace. These stakes, as might have been supposed, after some time took the form of a regular curve, showing that the ice moved continuously and uniformly, and not by sudden rending at any points. It seems to us, however, that, if Mr. Forbes's explanation of the veined

structure is correct — the facts, we think, show the contrary — his own observations would furnish the plainest possible proof that glacial ice is eminently brittle; inasmuch as he repeatedly states, that the smallest, slowest, and most regular motion cannot take place without splitting the ice; which certainly would not be the case in a gluey, sticky, tenacious, adhesive mass. But though his explanation of the veined structure, not being correct, does not thus demonstrate the fragility of the ice, the formation of crevasses does prove glacial ice to be totally devoid of tenacity, as may plainly be seen by the following results of observation.

So long as a glacier moves over a uniformly inclined bed, it is not unequally strained, and it remains unbroken by crevasses; but if it pass from a flat slope to a steeper one, the surface is subjected to tension, and it splits. A viscous or pasty mass could pass over the brow of a hill without fracture; but the slightest change of inclination, if convex upwards, will rend the glacier. Mr. Tyndall gives us the following facts. The Mer de Glace below Trélaporte passes from an incline of 4° to one of 9° 25′ (on the surface of the ice), the difference or change of inclination being only 5° 25′; and yet the ice, in passing over this great angle of 174° 35′, is so crevassed as to be impassable. It is also shown, that a certain part of the same glacier by its motion would be obliged to stretch only seven tenths of an inch in five hours; and yet it cannot do this, but breaks. Mr. Tyndall also illustrates the inability of the ice to change its form without fracture. He writes: "Let the sides of this page represent the boundaries of the glacier at Trélaporte, and any one of its lines of print a transverse slice. Supposing the line to move down the page as the slice of ice moves down the valley, then the bending of the ice in twenty-four hours would only be sufficient to push forward the centre in advance of the sides by a very small fraction of the width of the line of print. To such an extremely gradual strain the ice is unable to accommodate itself without fracture." He further says: "A boss of rock, a protuberance on the side of the flanking mountain, anything, in short, which checks the motion of one part of the ice, and permits an adjacent portion to be pushed away from it, pro-

duces crevasses." * Mr. Agassiz observes that all crevasses, of whatever form or position, are the effect of a common cause, — tension overcome; and that every crevasse is formed perpendicularly to the plane of the tension.†

We think it sufficiently evident from the preceding, that ice is anything but viscous. The next question is, Does it possess any quality equivalent to viscosity? The temperature at which ice melts is generally stated to be 32 degrees Fahrenheit. Experiment, however, has shown that it softens sensibly at four degrees lower, or at 28 degrees. From this Mr. Forbes concludes, that, since the general internal temperature of a glacier is from 28 to 32 degrees, the ice is kept in a just melting condition, in the same manner as wax softens before it melts. Mr. Tyndall has cooled ice down to 100 degrees below the freezing-point, when he found it so hard as to resist a knife; and he observes, that although ice at 28 degrees may be called soft in comparison with that 100 degrees colder, it is the softness of calcareous spar in comparison with rock crystal, rather than that of melting wax, honey, or tar; and he concludes by saying: —

"How far this ice, with a softness thus defined, when subjected to the gradual pressures exerted in a glacier, is bruised and broken, and how far the motion of its parts may approach to that of a truly viscous body under pressure, I do not know. The critical point here is, that the ice changes its form and preserves its continuity during its motion, in virtue of *external* force. It remains continuous whilst it moves, because its particles are kept in juxtaposition by pressure; and when this external prop is removed, and the ice, subjected to tension, has to depend solely upon the mobility of its own particles to preserve its continuity, the analogy with a viscous body instantly breaks down."

It is a well-known fact, that water subjected to a strong pressure requires a greater degree of cold than usual to freeze it, or, conversely, that heat is developed by pressure; ‡ so that

* This is admirably shown in Mr. Agassiz's map of the Lower Aar glacier, where the ice is dragged around the angle of the Rothhorn, near the Pavillion; and also in Pl. VIII. Fig. 10, of the *Système.*

† Regarding the mechanics of crevasses, the reader is referred to Mr. Tyndall's book, pp. 315 – 327; and to Mr. Hopkins's papers in the Philosophical Magazine, Vol. XXVI. (1845).

‡ Tyndall, *Glaciers of the Alps*, p. 349. Mousson, *Bibliothèque Universelle*, Vol. III.

a body of rigid ice may have those parts subjected to a severe pressure liquefied, and frozen again when the pressure is removed. Further, Mr. Faraday has shown that two pieces of ice with moistened surfaces, at a temperature above 32 degrees, when placed in contact, will freeze together. This property boys employ in making snowballs, and they well know that moist snow is necessary; dry snow will not answer. Mr. Tyndall applied this principle to a most interesting series of operations upon masses of ice. With a series of boxwood moulds, he showed experimentally that hard crystalline ice could be forced into any shape by pressure, the change of form being produced by breaking and recongealing. He says: —

"The ice, in changing its form from that of one mould to that of another, was in every instance broken and crushed by the pressure; but suppose that instead of three moulds three thousand had been used, or, better still, suppose the curvature of a single mould to change by extremely slow degrees, the ice would then so gradually change its form that no rude rupture would be apparent. Practically the ice would behave as a *plastic* substance."

May we not now conclude that, although ice can in no way be called viscous, it has a quality equivalent thereto to a degree sufficient to account for the quasi semi-fluid motion exhibited by glaciers, namely, plasticity, this latter characteristic being the result of fracture and regelation?

The veined or ribboned structure (blue bands) already noticed completes the solution of the problem. Mr. Agassiz considered this feature as a phenomenon more or less superficial, but still of great importance as a means of facilitating the infiltration of water into the mass. Mr. Tyndall observes that it is not to be regarded as a partial phenomenon, or as affecting the constitution of glaciers to a small extent merely. Mr. Forbes says that it is the intimate structure of the glacier, and the only one which it possesses. These bands are extremely useful as indices to the motion of the ice at different places, being dislocated, contorted, and inclined according to the forces acting upon the mass. The structure is stated, by

[1858,] p. 296. James Thomson, *Phil. Mag.*, Vol. XIV. [1857,] p. 548. Wm. Thomson, *Phil. Mag.*, Vol. XVI. [1858,] p. 463. Tyndall, *Phil. Trans.*, Vol. CXLIX. p. 279.

all glacialists, to be found perpendicular to the pressure at the place where it is produced. We have already seen the earlier explanations given to account for the bands. We have now to examine the latest opinion of Mr. Forbes. The fundamental idea is this. The veined or ribboned structure of the ice is, he says, the result of internal forces, by which one portion of the ice is dragged past another, in a manner so gradual as not necessarily to produce large fissures in the ice and the consequent sliding of one detached part over another, but rather the effect of a *general bruise* over a considerable space of the yielding body. This *bruise*, reconsolidating by pressure, gives birth to a blue vein. Thus the differential motion is supposed to be the cause of the structure; and, according to Mr. Forbes, the veins are best developed where the differential motion is a maximum. He also says, that the bands are least distinct near the centre, for there the difference of velocity of two adjacent strips, parallel to the length of the glacier, is nearly nothing; but that, where two glaciers come together, the structure immediately becomes more developed, which arises from the increased velocity as well as friction of each, due to lateral compression. For all this, while admitting the general course of the central structure upon the Lower Aar to be parallel to the length, he observes that it is extraordinary, if its production is to be attributed to the remote influence of the retaining walls of the glacier. We do not see why Mr. Forbes should charge it to this remote influence, when, according to his own theory, it might be attributed either to the increased velocity and friction at the junction of the two main branches, or to the differential motion at the adjacent sides of the branches before the junction. The *experimentum crucis* of Mr. Forbes is the glacier of La Brenva, in which a particularly fine development of structure occurs at a point where the ice is forced obliquely against a rocky promontory, and where the differential motion is shown, by measurement, to be considerable. We apprehend, however, that an example of structure equally good may be found where there is no differential motion, but simply pressure. Mr. Hopkins has plainly shown that the lines of greatest

strain in a glacier, moving down a valley of uniform width, extend from the shore obliquely forty-five degrees down stream, and that the crevasses are at right angles to this line; also that the lines of greatest compression extend from the shore obliquely forty-five degrees up stream, and that the blue bands are developed at right angles to this line; that is, at the sides of the glacier the crevasses point from the shore up stream, and the blue bands down stream. Now this is the same direction that Mr. Forbes would have them assume from differential motion, although he has never shown, and we believe cannot show, that differential motion ever takes place in this direction. But he also says: "These bands are formed where the pressure is most intense, and where the differential motion of parts is a maximum." From this, it might be due either to the pressure or the motion, if it were not for a structure which occurs where no differential motion can, on any theory, occur, but pressure only. Mr. Tyndall gives us the following: "Where the inclination of a glacier suddenly changes from a steep slope to a gentler, the ice to a certain depth must be thrown into a state of violent longitudinal compression. At such places a structure is developed transverse to the axis of the glacier. The quicker flow of the centre causes this structure to bend more and more, and after a time it sweeps in vast curves across the entire glacier." In this manner the marginal structure may be brought into the direction often observed, namely, oblique from the shore down stream, in those places where pressure to form it in that position is lacking. This transverse structure may be seen upon the Strahleck affluent of the Lower Grindelwald, the Rhone, and the Talèfre fall in that branch of the Mer de Glace of Chamouni. All observers agree in finding the structure *to be made* only where there is strong pressure; after being formed, it may be transferred, by the motion of the ice, to places where there is no pressure. Mr. Forbes alone maintains the influence of differential motion, although the only motion of that kind which has ever, by measurement upon a glacier, been proved to exist, is parallel to the shore, which is not the direction ever assumed by the true marginal structure.

We cannot judge of the production of the veined structure in all cases by its occurrence; for it is often found in places which have no part in its formation. The vertical longitudinal structure in the great Aletsch glacier, opposite the Märjelen See, was formed eight miles above that point, by the lateral pressure from the tributary glaciers which come in at right angles to the trunk. Mr. John Ball asks, How can this structure, which must have been formed two hundred years ago, have withstood the reduction of the surface by melting, which at only ten feet per annum would be two thousand feet? If we say, by swelling, caused by the slower motion in front and the accumulation behind, we shall find a question equally hard to answer, namely, How can a compression sufficiently great to produce this swelling act without obliterating the old structure and producing a new one in a transverse direction? We have no measurements of any amount upon this immense glacier.

Mr. Tyndall supposes the varied structure to be produced by pressure acting at right angles to the plane of the veins, such pressure causing internal liquefaction; the water thus produced freezing when the pressure is removed. Mr. Agassiz confirms this explanation to a certain extent, since he says: "The bands are most frequent at the confluence of many affluents, and also where the ice is more compact than elsewhere; for example, at the Aar glacier it is where the ice is submitted to the strongest pressure, arising from the junction of the two grand affluents. This correlation between the compactness of the ice and the frequence of the bands is confirmed by the other fact, that the bands first appear where the ice has already a certain compactness." The final proof of the correctness of the pressure explanation of the veined structure is furnished by the experiment of Mr. Tyndall, who actually produced blue bands in small pieces of common ice, by subjecting them to pressure; such bands being at right angles to the force applied. Careful examination of the ice during the operation showed the internal liquefaction taking place.* We have already seen how a mass of ice may change

* See Phil. Trans., Vol. CXLIX. [1859,] p. 279, Paper on the Veined Structure of Glaciers, by Mr. Tyndall, or "The Glaciers of the Alps," p. 409, for the detail of this most conclusive and interesting experiment.

its form by fracture and regelation. By the blue bands we learn that the internal liquefaction produced by intense pressure, which Mr. Tyndall so plainly illustrated in his laboratory, actually takes place in the glacier on a large scale; thus allowing a slight change of form, and furnishing the moisture necessary for the refreezing of the separated portions of the ice in a new position, when the pressure is removed.

Mr. Tyndall does not claim to be the founder of a glacial theory; but his book is concluded by what he calls a partial summary, which is in fact a most complete, concise, and correct statement of all we know regarding the nature of the glaciers. Briefly it is as follows. Glaciers are derived from mountain snow, which is consolidated by pressure to ice. The power of yielding to pressure is possessed by the most compact ice. The motive power is the weight of the upper glacier, which by settling squeezes out the lower parts, which yield in the direction of least resistance and move downwards. This motion is accomplished partly by sliding, and partly by the yielding of the mass. This yielding takes place by fracture and regelation, which actions produce an effect equivalent to plasticity. The ice can yield thus to pressure, but not to tension. The result of stretching is the crevasses, which are marginal, transverse, or longitudinal; — the first being produced by the oblique strain consequent upon the quicker central flow, the second by the passage of the glacier over a convex vertical angle, and the third by pressure from behind and resistance in front, which causes the mass to split at a right angle to the pressure. The veined structure is produced by compression, resulting in internal liquefaction. The water thus produced is refrozen when the pressure is removed, forming a blue band. The structure occurs in three forms, which may be regarded as complementary to the crevasses, namely, marginal, transverse, and longitudinal, being in each case developed at right angles to the pressure.

The cause and office of the angular fragments, the flattening of the bubbles, the disappearance of the original stratification, the permanence of structure through many years of ablation, and the causes of the increase and decrease of gla-

ciers at the present time, are questions upon which future glacialists have ample opportunity to exert themselves.

Before concluding, we wish to say a word regarding the division of the credit due for the establishment of the glacial theory; partly that it may be understood to whom we owe our information on this subject, and partly because great injustice has been done by nearly all writers to one of the most distinguished as well as indefatigable observers. No person has devoted so much time to the collection of actual data in the field, nor furnished us with such accurate plans, and so complete and long continued measurements, as Professor Agassiz, and yet there seems, with the single exception of Mr. Tyndall, a determination, particularly in England, to ignore altogether his services.* The solution of the problem, as we view it, has consisted of three parts; — the field operations, showing the nature of glacier motion; the study, both in the laboratory and in the field, of the physics of ice; and the application of the physical principles evolved to the explanation of the observed facts of progression. Professor Agassiz laid out in 1841 the work which, remeasured in 1842, demonstrated the quicker

* "I believe I may safely affirm, that not one observation of the rate of motion of a glacier, either on the average or at any particular season of the year, existed when I commenced my experiments in 1842." — Forbes, *Travels through the Alps*, p. 38.

"Mr. Agassiz continued some of these annual measures, but only in a rough way, by causing his guides to reckon the distance of a block on the moraine by lengths of a pole or rod from a fixed rock some thousand feet off. These measures appear not to have been altogether trustworthy." — Forbes, in *Encyclopædia Britannica*, in 1855.

Mr. Forbes should have known that the very complete measurements of Mr. Agassiz, made in 1841 and 1842, were published in the *Comptes Rendus* in 1842.

"But even the melancholy pleasure of refuting himself was denied to the Swiss *savant*. In science the race is not unfrequently to the swift; and the Northern philosopher, having betaken himself to Switzerland, in June, 1842, was enabled, by applying the delicate and accurate process of theodolitic measurement to the small daily movements of the glacier, to observe in four days the results for which M. Agassiz, with his comparatively rough procedure, had to wait a twelvemonth." — *Westminster Review*, April, 1857.

The author of the above had evidently never seen the later work of Professor Agassiz, nor the *Comptes Rendus* of five years before.

"It is to Professor Forbes alone that we owe the first and most correct researches respecting the motion of glaciers." — *North British Review*, August, 1859.

"The prize for which the Swiss *savans* were contending was carried off by a more skilful and more fortunate competitor." — *Edinburgh Review*, Jan., 1861.

central flow, and the slackening of the motion from the upper to the lower regions of the Lower Aar glacier. Professor Forbes commenced his measurements in 1842, and, by taking the result of a few days only, actually observed the quicker central flow before Mr. Agassiz did. The results of Mr. Agassiz were, however, published before those of Mr. Forbes. The measurements of Mr. Agassiz were much more complete than those of Mr. Forbes, who in no case continued his lines entirely across a glacier. Either of these observers without the other was sure to discover those facts of motion which had been so plainly stated by Bishop Rendu in 1841. The discovery of the quicker surface flow belongs to Mr. Forbes, although the same thing was separately discovered by Messrs. Martins and Dollfuss a few days later. Mr. Forbes, though not the discoverer of the blue bands, was the first to perceive their importance; but his chief merit seems to be the connecting of all the data, and perceiving from this connection the resemblance to semi-fluid action. Beyond that point, his researches have simply supported an incorrect theory, into accordance with which he has endeavored to bend all facts near and remote. Mr. Tyndall has been eminently the physical contributor to the solution of the question, and by a skilful application of Mr. Faraday's Regelation, and the internal liquefaction of Messrs. James and William Thomson and Professor Mousson, has shown *how* the glacier is enabled to obey the force impressed upon it, — how a hard and brittle substance like ice can move like a soft and pasty mass.

The difficulty of judging correctly of what Mr. Forbes calls his theory arises in a great degree from the manner in which he twists his theory round from time to time so as to absorb all subsequent discoveries. He writes in the prefatory note to his Occasional Papers, in speaking of the recent progress of the glacier theory: "If it be granted that the terms 'bruising and re-attachment,' 'incipient fissures united by time and cohesion,' were equivalent in 1846 to the phrase 'fracture and regelation,' applied in 1857, I shall, I trust, still be held to have laid just and solid foundations for a Plastic or Viscous Theory of Glaciers." Now it is exactly this that will not be granted, unless Mr. Forbes renounces entirely and without reserve the

differential motion as a cause of the blue bands. It is to be observed, that in his later writings he shows a decided inclination to use the term *plastic* in place of *viscous*, or at least to consider them as synonymous; but this is simply a misapplication of terms. There is nothing viscous about ice, and there can be no viscous theory of glacier motion.

With regard to glacial literature, the amount of published matter bearing on the subject is large. The works of Charpentier, Agassiz, Forbes, and Tyndall are particularly valuable as including the chief part of the field work. The papers in the *Bibliothèque Universelle* of Geneva, the Edinburgh Philosophical Journal, the Philosophical Transactions, the Philosophical Magazine, and the *Comptes Rendus*, by Agassiz, Forbes, Tyndall, Guyot, Desor, Martins, Hopkins, Whewell, Mallet, and others, are valuable. The *Essai sur les Glaciers*, by M. Charpentier, contains a large amount of observation, is well written, and has a fine map of the valley of the Rhone. The *Études sur les Glaciers*, by Professor Agassiz, should be read by the glacial student, although much of it is superseded by the later work of the same author. Its admirable plates deserve particular attention. The *Système Glaciaire*, or *Nouvelles Études*, of Professor Agassiz, is the most extended of all works on this subject, and contains more facts than all the other writings together. The text is accompanied by an atlas of plates, illustrative chiefly of the topography and physics of the great glacier of the Aar. Professor Forbes, besides the "Travels through the Alps of Savoy" and the "Occasional Papers," is author of a work entitled "Norway and its Glaciers," and also of the papers in the last edition of the Encyclopædia Britannica, and in Johnston's Physical Atlas, upon Glaciers. For a brief and popular, but thoroughly philosophical view of the several theories, with an exposition of physical principles which for method and clearness cannot be excelled, and for the journal of a most dauntless mountaineer, the book of Professor Tyndall has never been surpassed. There is only one thing better than the book, and that is — travelling in the Alps.

ART. II. — 1. *A Discourse on the Life, Character, and Policy of Count Cavour, delivered in the Hall of the New York Historical Society, February* 20, 1862. By VINCENZO BOTTA, Ph. D. New York: G. P. Putnam. 1862.

2. *Count Cavour, his Life and Career.* By BASIL H. COOPER, B. A. London. 1860.

3. *Camillo Benso di Cavour.* Per ROGGERO BOUGHI. Torino. 1861.

WHEN a nation assumes, for the first time in its history, the rank of an independent and superior power, civilized man regards the event with sympathy. With how much greater gratification do we behold the regeneration of a people which in former ages discovered a conspicuous superiority, but which, by the process of despotism and consequent apathy, has been for centuries an object of universal pity, and whose latter degradation has seemed the more hopeless as contrasted with its former grandeur! While the revolutions of modern Europe have transferred the ascendency from nation to nation, and have alternately elevated and depressed almost every country between the Atlantic and the Caucasus, Italy alone, the ancient seat of world-wide empire, has remained listless and stagnant under the oppression of the hierarchy, the Bourbons, and the Hapsburgs. The Reformation, prolific in the grand results of a purer religion and a more vigorous enlightenment, swept by the land of the Cæsars, and left the unhappy descendants of the greatest of races stranded in the cruel and superstitious ignorance of the dark ages. While England, France, Spain, and the German States — dependent provinces which received viceroys from and paid an humble tribute to the early Emperors — have successively assumed the highest elevation of power among the nations, their once queenly mistress has been overridden by a crafty priesthood, and has been retained in slavish submission by a foreign and mercenary armament. Divided into numerous states and municipalities, each independent of and most of them hostile to the others, — distracted by the bitter strifes of factions, rivalling one another in the same overwhelming passion, —

held all the while in debasing thraldom by the fulminations of ambitious and licentious pontiffs, — degenerated, by a fatal luxury, from the iron spirit which had dictated laws alike in the rude valley of the Tweed and among the splendid temples of Persia, — a people motiveless and hopeless, and, by the absorption of the Church, bereft of the little genius which might otherwise have illumined its history, — how sad is the contemplation of the desolate centuries which have passed over the fairest regions and most memorable spots of the earth! It has been the felicity of the present generation to witness the awakening of Italy to the dawn of a glorious destiny. The spirit which has either slumbered or vented itself in helpless and insane ravings has shaken off its lethargy, and tyranny may well tremble, when it beholds the regeneration of a people before deemed most secure in its grasp. A rapid concentration of states and of policy, — the creation, by the house of Savoy, of a constitutional government, — the revolutionary successes of Garibaldi, — the wisdom and moderation of the sovereign designated from the first, by nature and position, to preside over the birth of the new nation, — and, as we conceive, beyond all, the gigantic efforts of Count Cavour, — have resulted in placing once more the land of Cæsar and of Machiavel among the great powers of the earth. For a century and a half, five nations have arrogated to themselves the splendid joint title of the "Great Powers." Of these, four comprise communities once held in vassalage by the magistrates of Rome. The former mistress now takes her place among her former vassals as their equal, and hereafter *six* Great Powers will unite with and oppose one another to preserve the balance of European dominion.

The cause of the regeneration of Italy is easily discovered. Attempts have been made in the past to break loose from the bondage of the papacy and the empire; but they were without method, — looking not to the end, but impelled by sudden frenzy, — rather a wild thirst for any change than a wise endeavor for a better state, — unorganized, and undisciplined by principle or system, led by ignorant and reckless men, who would have been kings of bandits, but whose statesmanship would have been a worse tyranny than that of the worst pontiffs,

— and without unity of design, of interest, or even of cause. Such passionate and aimless rebellions could not be expected to succeed against military armaments, possessed of the advantages of discipline and experience, and stationed at every point of the insurgent territory. Even modern times have witnessed the wild fanaticism of Mazzini, who, in attempting to re-enact in Italy the inglorious fratricides exemplified by France, retarded for a time the formation of a constitutional monarchy, the nucleus of an independent empire. The essential want of Italy was a calm, great master-mind. Her sons, even the greatest of them, have been too mercurial and fickle, too much under the dominion of their passions, too much devoted to luxury, or to their particular pursuits, to engage in successful revolution. They wanted the iron will, the dauntless spirit, the discerning forethought, the steady intellect, of more northern climes; first to overturn existing despotism, then to erect a substantial and healthy fabric. Passion might have full play in the destruction of papal and imperial authority; but it must yield to nobler elements when eradication is to be followed by creation. To destroy, requires only the brave heart and the strong arm; to erect, demands souls lit up, not only with patriotism, but with an intelligence undimmed by grosser elements.

The intellectual activity of the last century, crude and irregular as it was on the Continent, was the germ which culminated in the French Revolution, and which has set all the communities of Europe in pursuit of liberty. Before this period, the monarch, everywhere, was the state; and the acquisitions of power, territory, wealth, and internal prosperity were not blessings flowing to the people, but jewels added to the crown. Free thought, great studies in science, philosophy, and theology, if they generated atheism and visionary equality, also opened the gates of power to its true source, the people. Italy felt this universal influence, and the brain of that people, if less vivid, became sensitive to the wrongs of tyranny; as in France, the same cause brought anarchy. The gorgeous imagination of Dante, centuries earlier, had depicted the past miseries, and no less the coming glories, of his unhappy country; and, with a foresight illumined by a rich

fancy, he had seen the peril which, to attain national integrity, she would be forced to undergo. In the work of imagination, the inciting of a people to resistance, the appealing to their best passions, by song and eloquence, Italy has produced great masters; but it has been reserved for the present age to elicit an efficacious intellectual aid, which should combine and systematize the hitherto inchoate elements of an Italian kingdom. The great mental activity of the past century has prepared the people to receive and to appreciate a new destiny; it has awakened a sense of shame for past apathy; it has kindled noble aspirations for an independent system; it has exposed to their contempt the specious fallacies by which Popery has enthralled the intellect and the heart; it has displayed for their emulation the examples of free nations. Thus prepared, Italy waited for a guiding mind; and that mind appeared in Camillo di Cavour.

He is rightly called by Italians the Regenerator of Italy. To his intellect and his enthusiasm is to be traced the creation of a fabric, wonderful in its youthful maturity, stately in the proportion and symmetry of its design. What enhances the grandeur of his achievements is, that they were accomplished in spite of patriots. He saw that the separation of communities tended toward the worst results of anarchy, no less than that their consolidation must be effected by checking the natural impulses of the public mind. Few of his compatriots had the capacity to appreciate any other form of government than the one most opposite to that which had paralyzed Italy. The Southern imagination, more sanguine and irresistible than that of the French, looked even upon equality and fraternity as too moderate a stand-point. Almost alone, but nevertheless with all confidence, Cavour set about the greatest labor which can employ the human mind. Inspired no less by the examples which history displayed to him, than by the results of a practical contemplation of general politics, he was entirely satisfied as to the end which he should propose to himself, and the means he should employ to attain it. Sentiment in him was absorbed in one feeling, unalloyed patriotism. He did not reflect upon the glories of ancient Rome, upon the greatness of Florence, and Venice, and Naples, and Genoa, with the exu-

berant fancy of a poet, sorrowing for what was past and irrevocable, but with the eyes of a statesman, penetrating the causes of their rise and fall, and inspired by their fate to reinstate their power permanently and completely. To attain an end so noble, he deemed no sacrifice too great; and, in spite of the bigotry of his family, the danger to his title, his fortune, his life, and his fame, from his earliest manhood he gave himself up to the salvation of Italy.

The little volume before us contains a discourse, written and delivered by a personal friend and compatriot, on the life and character of this remarkable man. It presents, in language glowing with the enthusiasm of ardent friendship, a clear and highly interesting narrative, which impresses us with the accuracy of its details, and inspires us therefore with feelings kindred to those of its author. Professor Botta, from his literary position in the Sardinian Faculties and in the legislature of that kingdom, had peculiarly favorable opportunities for observing a career so marked and rapid as was that of Count Cavour; while his personal intercourse with him enabled him to form a just judgment of his mental capacity, his social qualities, and the opinions he entertained on all subjects. With a modesty somewhat rare among biographical friends, he has carefully excluded all mention of himself, and seems to have lost all consciousness of his own connection with the scenes he describes, in an absorbing contemplation of the master spirit who was their centre. We cannot but admire the fitness and elegance of the language employed, which is the more to be commended, as the author is a foreigner; for we know that, of all languages, ours is the most difficult to be completely mastered. Such a life as he depicts cannot fail to enlighten every mind; for it exhibits the rarest combination of excellences, untainted by any great fault, and continually made more resplendent by the constant exercise of virtue. In the endeavor to present to our readers a sketch of that life, we feel the difficulty of rendering an adequate tribute to the author of the great results which have flowed from its influence; but we hope, nevertheless, to convey a sufficient idea of its value to enkindle in every one who peruses

it veneration for his great intellect, love for his generosity, and esteem for his pure patriotism.

Camillo Benso di Cavour was born in the capital of that kingdom around which he afterward concentrated the states of Italy, on the 10th of August, 1810. He was descended from an ancient and noble family, who at different times had been renowned for gallantry in the field, and for eminence in literature. His family name was Benso; its title of nobility, Cavour; and his own Christian name, Camillo, was given him in honor of Camillo, Prince Borghese, provincial governor of Piedmont, the husband of the brilliant and beautiful Pauline Bonaparte. This princess, the favorite sister of the French Emperor, together with her consort, presided over the baptism of the young noble as sponsor. He was the second son of the Marquis Giuseppe Michele Benso di Cavour, by a Swiss lady, Adelaide Susanna Sellon; and, as is the custom of Italy, he took the title of Count, as the younger born. It was from his mother that he inherited the more prominent characteristics which afterward made his life illustrious; while the Piedmontese blood gave him the vivacity and warmth of soul peculiar to that people. His family had long been a proud and exclusive race, holding in contempt the lower classes, and devoted to aristocratic domination and popular oppression. Wealthy, of ancient title, and therefore of considerable influence among the nobles, his father, though by no means an ill-natured man, became an earnest advocate of ultra-oligarchical principles. This was an immense disadvantage to a youth whose earliest maturity of reason taught him to take an entirely opposite ground, and to espouse the cause of the oppressed classes. The prejudice which his father's bigotry had excited against the house descended in some measure to Camillo; and between the distrust of the government, who knew his liberal predilections, and the distrust of the people, who looked with suspicion upon a young aristocrat, he was at the entrance of life placed in a dilemma hard to be escaped from. But few opportunities for advancement were afforded to younger sons of nobles at that time, and the army was the prevailing choice among them; and young Cavour, though by no means possessing a taste for the military profession, seemed

compelled to enter it, and was accordingly placed at an early age at the Military Academy of Turin. After pursuing for a while with considerable success the dry details of mathematics and practical science, he had the good fortune to be appointed page to the Prince Charles Albert, heir to the crown of Sardinia; less, as is supposed, from his rank, than because of his liberal principles. Such a position in the royal household is regarded in most monarchical countries as an almost certain avenue to high political trust; and therefore it was no mean tribute to the young Count's spirit and ability, that he was thus promoted, at the early age of ten years, over the heads of many young nobles who were eager to attain the same position.

His impatience of subordination made a dependence on princely favor distasteful even at his age, and he was glad to return to his surveying and logarithms in the Academy. Here he remained, acquiring rapidly and easily the scientific elements of the profession, until his eighteenth year, when he graduated with high rank, and was appointed a Lieutenant in the Royal Engineers. This position enabled him to reduce to practice the lore he had so studiously acquired, and he was commissioned to make explorations and plans for forts and other defences in the mountain ranges contiguous to the confines of Piedmont, and also near Genoa. Although such employment gave indulgence to his taste for exact science, his spirit was too restless to submit to the petty tyranny of military discipline; and after enduring the humiliations of an inferior grade for a short time, he retired from the service, and turned his attention to his favorite study, — that of political philosophy. While in the prosecution of his professional duties, he had been arrested and confined in the fort of Bard, for the expression of liberal opinions. It must not be inferred from this that he had given utterance to fanatical theories, or that he held any sympathy with those visionary politicians who courted martyrdom for democratic enthusiasm. His tendency was indeed toward the amelioration of the political status of his countrymen, and the elevation of the lower classes to a participation in government. But he was so wise as to stop at the threshold of those doctrines whose result must have

been to produce anarchy. His politics, though liberal, were from the first practical and sensible, not conquered by imagination, nor repugnant to moderate reason. Nothing can more fully demonstrate the wretched despotism under which Piedmont was groaning at that time, thanks to the restoration of the Bourbons, than that such a man, temperate in opinion and in utterance, should have been imprisoned for differing from the autocrats who presided at the cabinet council. Any European government would suppress a wild and dangerous fanatic; few would say to the world that they feared a conservative reformer. For Mazzini, it would have perhaps been a just fate; in Cavour, the injustice of the sentence stimulated an ambition, the fruit of which was the achievement of Italian freedom.

The period at which he abandoned the restraints of an exclusive profession, and turned to the consideration of political science, was a remarkable one throughout Europe. In France, the last sovereign of the elder Bourbons had just been expelled from the throne and the soil of his fathers; a bloodless revolution had been succeeded by a peaceable settlement; and constitutional had superseded almost absolute monarchy. Philosophical and political discussion had become universal, and the public mind was thoroughly aroused to the contemplation of much-vexed questions. In England, the great period had arrived which should witness a peaceful but thorough renovation of the Constitution; liberal ideas took the place of prescription and precedent; and fairness of representation, denied for centuries by the bigotry or interest of the dominant faction, was now accorded by the happy alliance in its favor of sovereign and people. The principles of religious toleration, too, found an increasing support throughout the three kingdoms; and free trade became the watchword of a powerful and brilliant coterie, whose names appear as the founders of the Anti-Corn-Law League. Hungary and Poland manifested new symptoms of rising against their imperial oppressors, and the Czar seemed disposed to introduce a more generous policy into the government of Russia. Greece, released from the rude dominance of the Turk, had erected a liberal monarchy, and had chosen an enlightened and mod-

erate German prince to assume her crown, once the fairest treasure within the ambition of man. Belgium also, now a thriving and active little kingdom, was then just changing ducal for regal dignity, and was governed with wisdom by one of the ablest of modern princes. All Europe seemed to be awakening to a more vigorous life, and tending toward a new order of political systems. Ancient absolutists were losing their prescriptive authority, and yielding before novel and vital forces. In Italy alone the zeal for liberty appeared to be dormant, or at least hopelessly indulged. While Northern communities were awake to every opportunity which might brighten their prospects, the land of Dante and Machiavel seemed to have forgotten the inspired exhortations of those heroic sages, and to remain motiveless and passive under absolute power. Cavour met this sad fact at the threshold of his observations, but it did not produce in his vivacious and cheerful mind the least despair; on the contrary, it inspired him to a desperate attempt to master his subject, and then to use the experience thus acquired for the benefit of his country. It might have been expected that the intensity of his patriotic feeling would drive him into all the theories of equality and democracy which characterized most anti-imperialists of that day; but his mind, steady and practical amidst surrounding tumults, recoiled from ideas which had thus far availed so little, and harmed so much. The blood of Piedmont which ran through his veins, and which stimulated passion, was tempered by the blood of Switzerland, which balanced judgment against impetuosity, and deliberation against fire of spirit.

Already he saw himself the future minister of the kingdom of Italy, uniting under his administration all the states of the peninsula, and sitting at congresses on a proud equality with the Hapsburg tyrant. Undoubtedly ambitious to become eminent in political life, and especially eager to be enshrined in the hearts of his countrymen as one of the founders of a new destiny, he yet disdained to employ the arts of the demagogue, and loathed secret conclaves for the sinister purpose of popular agitation. His course, as was to be expected, was frowned upon by his patrician father and his absolutist kins-

men; while the people, prejudiced against him as a scion of aristocracy, looked upon his youthful aspirations with much distrust. Amid such discouragements, opposed alike by those whom nature prompted to sustain him and by those whom gratitude should have attached to him, and apparently sacrificing the only opportunity which appeared open to him to achieve political success, this illustrious man obstinately adhered to a moderate, enlightened, and just view of facts and principles. He turned his particular attention to the study of political economy, and soon accepted the doctrines of Adam Smith and Lord Grey as those most in harmony with reason, justice, and especially with the policy of Italy. The results of his subsequent statesmanship demonstrate the wisdom of this course, and at the present hour Italy is making rapid strides in regaining that commercial ascendency which formerly rendered Venice and Florence the marts most courted by all nations, — a result which may be aptly traced to the exertions of Count Cavour.

Charles Albert ascended the throne of Sardinia in 1832, and the Marchese di Cavour was by him appointed Vicario or Mayor of Turin, — an office of considerable trust, and the reward of loyal devotion to the absolute party. His official duties consisted especially in the superintendence of the police system, which in those days was used rather as a defence against the liberal opposition than in the more general functions usually assigned to it. The father was thus thoroughly identified with the enemies and persecutors of the son, and became the magistrate whose peculiar care it was to check any movement toward a change of government, — an object dear to Camillo. This was a formidable obstacle, but not so formidable as to modify his opinions, or to silence the proper expression of them. He could not, however, pursue his studies under such a censorship in his native city; and therefore he spent the year following the accession of Charles in overseeing the family estates, travelling in various provinces of Italy, and, wherever he went, impressing upon his mind for future use his observations of the state of society. As early as his twenty-third year his opinions and character made him an object of suspicion to the Austrian cabinet; and records

have since been brought to light in the form of official instructions, describing his person and character, and warning the agents of the imperial court to watch so dangerous an enemy to absolute power. In 1835, he was called to the sick-bed of his maternal aunt, the Duchess of Clermont-Tonnerre, at Geneva; and having approached so near the frontier of the Alps, he seized an occasion he had long desired to cross the mountains, and contemplate the recently purified systems of France and Great Britain. He regarded the new *régime* of the former kingdom with much less interest than the constitutional stability of the latter. He looked with especial favor upon the operation of that stately fabric, which apparently has the unanimous preference of reflecting liberals on the Continent. The distinctive vigor and independence of the Anglo-Saxon race, subordinated to order and respecting law, appeared to him to be stamped upon the character of the government, and the ease with which so ancient a constitution had yielded to the demands of a progressive age filled him with enthusiastic admiration. He did not confine his attention to the organization of the executive and legislature, the spirit of the laws, the systems of finance, war, and marine, and the practical action and retroaction of administration and citizen; he also penetrated beneath the external facts which make up the history of a nation, and studied earnestly the different grades of society, the effects of unequal rank, and the various prejudices, habits, and tendencies of all classes. He looked with an admiration almost tinged with envy on the wonderful equilibrium which could combine in one constitution elements seemingly so inharmonious as an oligarchy, a sovereign, a state church, and a representative estate. But he did not speak of English institutions with unqualified praise; for he unhesitatingly denounced that exclusive spirit, which has accumulated in the hands of a few proud families the greater part of British territory, and has denied to the farmer a fair competition in labor. He could not view with approval the aristocracy nor the political Church; he knew too much of their baneful influence at home to be converted in their favor abroad, although in England they presented a less repulsive aspect than in Italy. He regarded England, never-

theless, as the pioneer of European civilization; whose mission it was to introduce reforms in politics and morals, and to exemplify them in her own policy. His visit to that country, therefore, was one of the greatest pleasure, as well as instruction to him.

Throughout his future life he seems to have profited by the experience derived from his English tour, in modifying his political course. Accepting the same abstract principles which underlie the British constitution, and rejecting aristocratic and prelatical influence, he built up a fabric in many respects similar, and in many we think superior, to that which he adopted as a model. He made the acquaintance and acquired the friendship of many prominent Englishmen of all parties; and from the discussions which he heard, and in which he was a participant, he conceived a vivid idea of the principles with which he sought to be familiar. Every fact, every cause, every effect, was treasured up in that rare memory, as material for his life-work. His judgment perceived at once those circumstances and data which could be employed in guiding his future policy, and which were applicable to the character of his fellow-countrymen; and his assiduity was the less laborious, inasmuch as he experienced the keenest pleasure in the occupation. His pursuit of knowledge was not devoted entirely to general theories; but he descended carefully to the consideration of practical details, visiting the different departments in Downing Street, observing the operation of law, and attending day after day the Parliamentary sessions, not less to derive an idea of the legislative practice and customs of England, than to witness the conflicts of parties.

In such congenial studies he employed his time until 1842, when he returned to his native country. His wealth had given him leisure, and his rank opportunities, to select the mode of life to which his tastes directed him; and his native mercurial temperament, combined with a hearty appreciation of social pleasures, strongly tempted him to turn from the path of usefulness, and to embark on that of a transitory happiness. Few men could have resisted the natural tendencies of the passions, when encouraged by such a position. But his soul

was fixed upon a great purpose; and to that purpose the allurements of folly, and even of ease, promptly yielded. Youth, riches, rank, a warm and generous heart, and manners which irresistibly attracted, became, in the balance which should determine a wise or a miserable life, as nothing, when opposed to the instincts of a pure patriotism, the earnestness of a spirit inspired by honest piety, and an intellect capacious enough to grasp, and interested enough to attempt, the great problems which involve the rise and fall of nations. The flower of younger manhood thus spent was a certain presage of future eminence; and it is with scarcely less admiration that we view this early devotion to the service of his country, than the more recent and world-renowned achievements of his intellect.

On his return to Italy, he commenced his public career by taking up the pen in the advocacy of the opinions of which he was now firmly persuaded. He wrote an admirable essay on the "State and Prospects of Ireland," a work for which he had fitted himself while in the British Isles, at which period the O'Connell agitation was at its height; and his appreciation of his theme, and the accuracy with which he dealt with the material before him, elicited the praise of the most profound British minds. "Italian Railroads" also found a vigorous and earnest advocate in Cavour at this time; and another Essay, "On the Influence of Commercial Reform in England on the Economical Condition of Italy," extended his reputation as a writer and an economist throughout Europe. A British reviewer of ability has aptly remarked, that these early fruits of Cavour's genius partake rather of the dispassionate and deliberate character of state papers, than of that of pamphlets written upon exciting political topics. Throughout their pages is discernible the operation of a calm and lucid mind, quick to arrive at conclusions warranted by safe premises, just in fixing the importance of facts, and entirely free from sympathies produced by partiality for either party. Their style is clear, unadorned by rhetorical digressions, strictly accurate in word and expression, and always aiming straight at the main idea.

He became an active participant in the deliberations of the "Societá Agraria," a body of men who favored the introduction into Piedmont, not only of agricultural improvements,

but of all those resources which make a community energetic and prosperous. They formed a nucleus around which might be gathered the liberal sentiment of Italy, and did not confine their projects of reform to the narrow details of their incorporation. It was in communion with the members of this society that Cavour found a thorough sympathy with the principles which he had adopted, and also the eminent and earnest friends who afterwards assisted in his lofty labor of regenerating the government. Their organ, the *Gazétta dell' Associazióne Agraria*, found in him a constant and zealous correspondent, whose contributions were directed to the universal amelioration of the condition of the people. He sustained with great vigor free trade, as the resuscitator of a dormant commerce; the establishment of educational systems, as the purifiers of popular virtue; the encouragement of science and art, as adornments indispensable to a civilized race; the creation of benevolent associations, as alleviations of the sufferings of the lower classes; industrial schemes, as life-giving elements in a society naturally prone to agriculture; and, above all, the establishment of a popular legislature, as the guardian of national liberty. The influence of his mind, acting thus through the medium of the press, became gradually felt in the more enlightened circles of the metropolis; and the ideas which he put forth, in so convincing and logical a form, began to insinuate themselves into the first intellects of Piedmont. Few had looked beyond local history and events for their political erudition; and none probably possessed a just idea of the practical operation of liberal principles beyond the Alps. They were now fully enlightened by one of their own countrymen, in a form thoroughly comprehensible, and appealing at once to their understandings, by the clearness and simplicity with which he made every subject he approached appear to them. Such statesmen as Gioberti, Ricasoli, and Azeglio were struck with the benefits and practicability of the reforms which he sought to introduce; and all who, while they rejected the revolutionary fantasies of Mazzini, yet yearned for a deliverance from the existing status, turned their attention to the doctrines now for the first time advocated, as remedies sufficient for the existing evils.

In addition to these efforts to set public sentiment in the right direction, Cavour continued to devote his attention earnestly to the study of political philosophy, while at the same time he indulged his tastes for agricultural pursuits. As liberal principles became more extensively adopted, he found that the *Gazétta* did not afford a sufficient opportunity to promulgate his views; and, in connection with other eminent Liberals, he instituted, in 1847, a political daily, called the *Risorgimento*. Happily the freedom of the press was so far allowed as to permit the accomplishment of the objects of this paper, whose mission was announced to be, "the independence of Italy, union between princes and people, progressive reform, and a confederation of the Italian States." Keeping clear of the dangerous theories which impelled Mazzini to seek revolution, and rejecting the policy of republicanism as entirely unsuited to the genius of Italy, he advocated mutual compromise between the sovereign and the subjects, by which the former should be secured in limited dominion, and the latter admitted to a participation in the government. Although he perceived that the Papal power was destructive of Italian independence, he did not declare war upon the hierarchy, but sought, while stripping the Pope of the ability to oppose the projected confederation, to leave in his hands a nominal sovereignty, and, if feasible, to place him in the van of the great reform movement. This policy, at once conservative and progressive, met with extreme opposition from two distinct quarters, the ultra absolutists and the ultra democrats. The partisans of the Empire and the Society of Jesus frowned upon a project which destroyed the essence, though it retained the semblance, of princely and ecclesiastical power. The followers of Mazzini rejected a proposal which should continue monarchical institutions and admit the aristocracy to a participation in the government. It was, therefore, to the intelligent middle class, — that class which has everywhere maintained order and rational liberty, — and to the liberal noblemen and philosophic statesmen of Italy, that Cavour looked for a hearty and efficient support of the views promulgated in the *Risorgimento*. Early in the year 1848, he took a step which identified him distinctly as a bold and earnest leader

of a thorough, though not a radical, reform. A deputation of Genoese citizens had arrived at Turin to petition the king in reference to the expulsion from that city of the Society of Jesus, and also to urge the remodelling of the militia; and the leading politicians of the metropolis, perceiving this to be a fit opportunity to strike a blow, met to consider the expediency of joining in the request of the Genoese. Cavour, bolder than the rest, and not deterred by the unpopularity he already labored under, ignoring all minor issues, moved at once to petition Charles Albert for a free press, and for a constitution. This proposition, though sustained by the conservative members of the meeting, failed through the opposition of Mazzini's partisans, and the public press refused to print it; in consequence of which Cavour informed the king himself of the motion he had made. Charles Albert, who had always been regarded as an absolutist, and whose relations with the Empire rendered it improbable that he would listen to reformers, yet was not devoid of that sagacity which profits by experience and yields when the choice is inevitable between yielding and falling. The example of Charles d'Artois was too recent to be forgotten; he knew his people too well to trust to their calmness and clemency; and, like a wise king, he granted to them a constitution, — thus preserving his own crown, and paving the way for uniting, under his successor, the then inchoate elements of an Italian kingdom. It is not a little to be commended that the late king seized exactly the right time to concede a Parliament, and that he did not wait until public ferment would have made it difficult to trust his sincerity. This important movement took place soon after Cavour's motion in the Assembly of Editors, in response to a petition from the city of Turin.

Cavour was intrusted with the duty of framing an electoral bill, and under its operation he was elected by the citizens of his native city to the first Chamber of Representatives. Thus peacefully and without difficulty was the kingdom of Sardinia transformed from an absolute into a constitutional monarchy. The king retained a just exercise of executive power; the educated and landed classes were admitted to a direct influence through a freely elected legislature; the influence of

Austria was counteracted, and the example of England adopted; and instead of a rigid political police, a fettered press, and an exclusive domination of absolutist princes, the best intellects of Piedmont were called to the administration and the forum.

The general convulsion of 1848, which restored France to the Corsican line, and which roused Hungary, Poland, and Milan to a desperate but unsuccessful outbreak, generated in the intelligent statesman of Piedmont a hope, not entirely free from misgiving. Southern Europe, before impervious to the commotions which had convulsed more northern regions, felt at last a shock which, but for the unprepared state of the people, might have resulted in complete disenthralment. The provinces of Milan and Lombardy rose in armed resistance to the Emperor of Austria; Rome and Florence became agitated by the wild frenzy of visionary democrats. A revolution, terrible in its activity and momentous in its results, appeared inevitable. Cavour and his colleagues seized the occasion to urge a union of states against the triple tyranny. They entreated the Sardinian king, whose caution and hereditary prejudices were well balanced against his ambition, to place himself at the head of the great movement about to be made. Troops were enlisted, and sent to the banks of the Ticino. At last Charles Albert proclaimed himself for Italian independence, and the forces of Sardinia fought side by side with the Milanese and the Lombards against the standard of the double eagle. Cavour himself would have gone as a volunteer private, but for the armistice at Milan. But neither was Sardinia sufficiently strengthened, nor the people sufficiently of one purpose, to succeed against the deliberate schemes and organized movements of the Austrian government. The fatal excesses of the Mazzini faction produced distraction of public sentiment, want of cordiality and unity in the pursuit of a common end, and useless but violent hatred against those who, like Cavour, retained in the midst of revolution an earnest regard for law and order. Rome was restored, under the auspices of a French armament, to the dominion of the Catholic Pontiff. Venice, abandoned by her provincial government, and in spite of a glorious effort for

liberty, became irretrievably subject to the dictation of the Austrian tyrant. The Duchies were forced once more to receive their hereditary sovereigns, who had been constrained to flee before the storm which endangered their lives as well as their dynasties. The battle of Novara, by breaking the vitality of Sardinian aid, extinguished the last hope of wretched Italy; and Charles Albert, whose noble determination had made him worthy of a better fate, passed beneath the proud standard of the Hapsburgs, an exile from the throne and from Italy.

In the midst of commotions like these, the first independent Parliament of Sardinia met at Turin; and Cesare Balbo, a liberal of great ability, but whose administration was not prompt in prosecuting the war, became Premier. Cavour became at once, in accordance with the expectations of all, an active and leading member. So democratical, however, were the tendencies of the assembly, that his conservative views made him an object of frequent and bitter attack. He took a position which, though to persons looking upon historical events with an impartial eye it seems a most honorable one, made him extremely unpopular when considered in the midst of exciting events, and by a bigoted party spirit. The administration had been formed on a radical basis; but soon, governed by that consciousness of responsibility which always attends the acquisition of power, the enlightened Premier advocated the intervention of Sardinia in the war then in progress, and the restoration of the dethroned princes, under pledges guaranteeing free constitutions to their people. These measures Cavour, though originally opposed to the ministry, heartily approved. The hopes, however, of the statesmen who advocated this policy, were sorely disappointed when the princes refused the concessions which were expected of them, and when the Pope became, on his restoration to the triple crown, the steadfast ally of the Emperor in oppressing Italy.

Charles Albert could not hope longer to wield the destinies of his little kingdom; and he abdicated the throne. His heir came to his royal inheritance, as may well be imagined, under peculiar temptations, and surrounded by events calculated sternly to test the quality of a young and fervid ambition. Before him were a distracted and disunited people, not yet

recovered from the ignominy of hopeless defeats, utterly powerless and prostrate before a great nation, without strength to oppose any longer the tyranny which had before incited them to resistance. By acquiescence in oppression, Victor Emmanuel might look forward to a long, secure, and peaceful reign; and, subject to the dominant power, he had a certain prospect of uninterrupted dominion. His youthful prejudices had been formed by absolutist courtiers, and a selfish interest in the comfort of his own house would have led him to bow cheerfully before the haughty crown which sought to make him a submissive vassal. It was natural, therefore, that the statesmen of Piedmont should look with distrust upon the accession of so young and so ambitious a prince. Their fears were gloriously disappointed, before the crown of Savoy had touched the brow of the new sovereign. On the very night when his father, dethroned and exiled, passed from the presence of his dejected generals, Victor Emmanuel brandished his sword toward the imperial camp, and devoted himself, by a solemn vow which has been nobly kept, to the regeneration of Italy. From that moment distrust vanished, and hope inspired every patriot heart. In the new king, the courage and enthusiasm of youth were combined with a discernment of the right cause which would have graced the wisdom of age. His choice of a first minister indicated a conservative, and yet a generous policy. Massimo d' Azeglio, a brilliant votary alike of æsthetics, of politics, and the military art, was intrusted with the government, and was joined by many of the ablest minds of Piedmont. Graceful in the use of the pencil, glowing as the delineator of historical events, and enchanting in the presentation of fictitious scenes and characters, Azeglio could yet turn from these elegant and peaceful avocations to guide with consummate skill a disordered state through peculiar dangers. The perils external were not exceeded by the perils internal; and the new Premier found that the greatest enemy to the government was concealed in the dark streets of its own cities. His fear of the revolutionists made him distrustful of all innovation, and he inclined rather to consolidate and preserve what had already been acquired, than to widen the margin of national vigor by progressing in the

paths of reform pointed out by more sanguine statesmen. He therefore devoted himself with ardor to settling the existing disorders, and to securing the crown to his young sovereign. Count Cavour had heartily approved the nomination of Azeglio to the chief direction of affairs, and had with a disinterestedness rarely seen, but which was characteristic of his whole life, sustained the more important measures which that statesman had proposed to the legislature. But his energetic spirit, revolting though it did from the anarchical precepts of Mazzini, could not more patiently acquiesce in the caution which kept in abeyance the resources of the country. More bold and practical than the Premier, he earnestly urged the prosecution of reforms of all kinds, commercial, agricultural, educational, and political. He would anticipate the bright prospects with which Mazzini sought to dazzle the people, and separate the good from the evil of the democratic creed. The quickness with which he discerned the propriety, and even necessity, of improvement in various directions, contrasted successfully with the poetic fervor with which the imaginative Minister clung to the old paths. The timid and unpractical mind of the latter, while he admitted the reasonableness of Cavour's theories, shrank from the bold course which alone could give them efficacy. The main obstacle to complete national disenthralment was the exorbitant influence of the Papacy in Italian politics. This evil Azeglio sought to eradicate by the cautious mode of expostulation, and by attempting to convince those to whom conviction would have been entire loss of power. Such a mode was ill adapted to persuade cardinals to yield an authority resting on precedent to the exigencies of a modern civilization. Cavour, with accurate judgment, saw the futility of paper attacks, and urged a ruder — as the only practicable — method of removing this mighty incubus. Sicardi, an eminently sensible statesman, was, through his influence, brought into the Cabinet, and proposed at once to act upon the sources whence the hierarchy derived its dictatorial authority. The ecclesiastical courts were, at his suggestion, abolished; the clergy were deprived of invidious immunities; the tenure by mortmain of religious corporations was restrained and regulated; and every undue privilege was cut off.

Thus, in spite of the violent opposition which everywhere demonstrated the yet formidable vigor of the Church, the state was relieved of the great obstacle to the entire independence of the government. Cavour was now admitted to the Executive Council, by being appointed Minister of Commerce and Agriculture, — an office for which he was peculiarly fitted, not less by his remarkably practical turn of mind, than by his taste for, and long attention to, these branches of public enterprise. His long-cherished ideas in favor of free trade were now brought forward and put into practice; and his treaties with the various European powers, while from some quarters they brought denunciation upon him, even to personal collision, nevertheless were approved by his constituents, and became the settled maritime policy of Piedmont. He was soon after appointed Minister of Marine in addition to his other offices, and now took the opportunity, long wished for, to transfer the naval arsenal to Spezzia, and to improve the port of Genoa, so that it might become, as its position and natural advantages indicated that it should be, the centre of Northern Italian commerce. A change of ministry, which proved only temporary, led to the retirement of Count Cavour from public office, and he devoted this interval of relief from arduous toil to visiting England and France, and renewing, for a brief period, his friendly intercourse with the public men of those countries. While in England, he inspected the most abandoned and riotous quarters of London, under the care of a policeman, looking upon these scenes of degradation with the practical eye of a philosophical economist. On his return, he found Azeglio on the point of resigning in consequence of disagreements with the Papal emissaries. Cavour was intrusted with the seals, but failed to reconcile the contending claims of the Pope and the King, and so resigned. He was the only man, however, who was equal to the emergency, and he was soon recalled, at the urgent solicitation of Victor Emmanuel, premising a condition that the demands of the Papacy should be resisted at all hazards. He now assumed the direction of the administration for the first time, as President of the Council and Minister of Finance.

He had now reached the height of power, and his execution of the trust reposed in him fully justified his self-confidence. From this time until his decease, he held, with little interruption, the helm of state. His extensive improvements in commercial regulation, the impetus he imparted to agricultural enterprise, the encouragement he gave to scientific and artistic endeavor, his zealous efforts to connect the great cities of his country by rail and telegraph, his straightforward and yet guarded transactions with foreign courts, the minute attention he bestowed upon the improvement of the lower classes, the vigor with which he opposed Papal aggression, the interest he manifested in the military department, and the facility with which he reconciled antagonistic elements in the legislature, entitle him to the homage of mankind for the greatness and virtue of his statesmanship. The Crimean war, which began in 1854, afforded an opportunity to display masterly skill in directing the course of Sardinia; Cavour went beyond the expectations of his countrymen in the success with which he emerged from this important crisis. Looking far into the future for the results of the step he was about to take, he at once recommended an alliance with the coalition, and, in the midst of furious but unavailing opposition, he persuaded the Chamber to send 25,000 men as the quota of Sardinia in the combined army. His ambition for his country discerned the time when Italy would compete with the Porte, France, and England for the supremacy of the inland seas; and he resolved that his influence, and that of Piedmont, should be thrown into the scale which should exclude Russia from the competition. The wisdom of this policy, hazardous and foolhardy as it at first seemed, was afterwards recognized on all hands. The Sardinian troops behaved in a manner which elicited the applause alike of their confederates and their opponents; and thence is to be traced that martial spirit which has since shown itself in successful resistance to dangers threatening their immediate existence. To the Peace Congress which assembled in Paris at the conclusion of hostilities, to adjust the mutual relations of the great powers, Cavour, after a strenuous opposition from the Austrian delegates, was admitted as the representative of the court of Sar-

dinia ; and he embraced so favorable an opportunity of laying before the assembled statesmen the necessities, the distresses, and the hopes of his native country. He urged them to co-operate with the Piedmontese government in checking Austrian and Papal domination over Italian territory, and proposed that all the powers should unite in a scheme to relieve the burden pressing upon that injured people. Although remonstrances so reasonable, and advocated by so masterly a skill, did not produce the conviction sanguinely hoped for, they directed attention more particularly to the existing evils, and prepared the way for the mature sympathy which attended the more recent struggles of the Italians for constitutional liberty.

The imperial court, alarmed and exasperated at the favor with which the envoys of Piedmont had been received at the Peace Conference, now manifested a disposition to quarrel with the rising kingdom, and, if possible, to find an excuse for displaying Austrian bayonets beyond the Ticino. Diplomatic recrimination having failed to subdue the spirit of Victor Emmanuel, the Austrian envoy at his court was recalled, which elicited a similar movement on his part. Cavour now saw that a terrible crisis was imminent, and involved in that crisis were all the great interests of his country. Sardinia was not yet completely restored from the exhaustion which the former disturbances had produced, and the Premier discerned the futility of an attempt on her part to cope alone with the fresh and well-disciplined multitudes of Austrian soldiery. To England he would naturally have looked for sympathy and co-operation in a distressing exigency ; but a misunderstanding, arising out of a difference between the English and Sardinian envoys with regard to the Danubian provinces, made a demand in that quarter inexpedient.

He therefore made proposals to the Emperor Napoleon; who not only listened with favor to his schemes for the regeneration of Italy, but entered into an alliance with Sardinia, — an event which was confirmed by the marriage of Prince Napoleon, the heir presumptive of France, with the crown princess of Piedmont. Cavour, rejoiced to convey to his countrymen such welcome news, now set earnestly about putting the army

and the fortifications on an efficient basis, and worked night and day in preparing to resist every aggressive act of the enemy. At times he doubted whether Austria could thus rashly call down upon her conduct the reprehension of the civilized world; but he was soon convinced of her intentions, by the ultimatum of the Austrian ambassador, and his retirement in April. At Cavour's recommendation, dictatorial power was conferred *pro tempore* upon the king, the ultimatum was rejected, and almost immediately the Austrian forces advanced within Italian territory. After some difficulty, a junction was effected by land and water between the allied forces; and the world knows the result, — the decisive victories, culminating on the field of Solferino.

Cavour now saw almost consummated the great end of his existence, — the enfranchisement of all Italy, and the union of the states into a vast confederacy. Austria was driven effectually from every province exept Venetia; and soon, thanks to the generosity of the French Emperor and the valor of the French troops, that fair district would also, without doubt, participate in the freedom of her sister states. When, therefore, the news came to the excited Minister, that the two imperial generals had met at Villafranca, and, after a short conference, had concluded a treaty, under which Venetia continued under Austrian domination, he was thoroughly prostrated by the suddenness and magnitude of the blow. Impelled by bitter disappointment, which wellnigh drove him at first to despair, he threw up the seals, quarrelled with the king, and retired to the family manor at Leri. There he diverted his mind from the topics which had previously absorbed his existence, but which now distressed him, by genial intercourse with the rural dignitaries who lived near him, by the pleasant recreations of agriculture, and by resorting for mental repose to the prolific storehouse of literature. Among those with whom he associated he was frank, unaffected, and genial; and his manners, while they never lost that dignity which gentle birth and political importance alike sustained, were yet such as to win the confidence and esteem of all who approached him.

The love of the people of Italy followed him to his peaceful

retreat in the country; their sympathy accorded with their reason in a thorough reliance upon his judgment and his patriotism. Vain were the attempts to form a government which did not recognize Cavour as its leading spirit. His return to the national counsels was indispensable to peace at home and safety abroad. The king sent for him, and they became friends again, never after to be separated; and once more every citizen felt secure under the guidance of his good right hand.

We need not refer to the circumstances which compelled his acquiescence in the treaty of Villafranca; they are a part of the history of the day, and all of our readers are doubtless familiar with them. The question of the surrender of Savoy and Nice also, a measure which more than any other of his administration has diminished the popularity of Cavour, is one which has been so often and so fully discussed, that it need not be reverted to here. It would seem that the two considerations, that it was absolutely necessary to prevent French interference with political projects of the greatest magnitude, and that the question of separation was referred to the people of the provinces before the cession took place, are adequate reasons for his policy in that transaction.

Cavour's brief retirement had invigorated his frame, and restored him fresh and cheerful to the momentous labors which now devolved upon him. He proceeded at once to take measures for strengthening and consolidating the confederation which had been effected by the late war. In the mean time a new source of anxiety to his government arose, from the revolutionary and heroic achievements of Garibaldi. That chieftain, burning with a fervent and inconsiderate patriotism, with a rapidity marvellous, and to Cavour alarming, drove the petty tyrants of Sicily from their province, and the Neapolitan monarch from his throne; set up a provisional government in the metropolis; and prepared to advance, with a rude but brave army, upon the Papal possessions. Cavour saw nothing but ruin to the Italian cause in so precipitate a conquest. He well knew that a victory would be fruitless which would certainly be condemned by all the great powers, and that defeat would restore the infamous Francis to the throne of Naples.

He avoided either alternative by marching a Sardinian army to form a junction with Garibaldi, displacing the martial government which had been erected at Naples, and relieving Garibaldi of the command in chief. Thus with admirable tact he averted both collision with the French government, and a ruinous preponderance of the revolutionary faction in Southern Italy. The gallant hero, who had been so marvellously successful in the field, had unhappily fallen under the malign influence of Mazzini's followers, and was withal sorely disappointed at the sudden termination of his brilliant progress. He from that moment conceived a morbid dislike to the Prime Minister, which not a little injured the harmonious organization of the Italian kingdom. Having become the representative of a democratic constituency, he was so unwise as to attack with unpardonable virulence the statesman who, above all men, civilians or soldiers, had brought Italy to its present proud position. Cavour, with a condescension which elicited universal applause, showed himself quick to forgive the impetuous expressions of one who had displayed so warm a patriotism; and a reconciliation — unfortunately a reconciliation but in name — took place, shortly before Cavour's death, between the two greatest Italians of the present century.

The Minister meanwhile was attentively absorbed in the provisional governments of the several states, and in furthering defences and improvements throughout Italy. With a skill unsurpassed in the history of ancient or modern statesmanship, he fused the discordant institutions and prejudices of Piedmont and Naples, Genoa and Lombardy, Venice and Sicily, into a harmonious and well-balanced system. The space allowed us will not permit a survey of the various alterations he introduced into the Constitution: this belongs peculiarly to the province of the future historian of Italy. Suffice it to say, that the system erected mainly by his efforts commands the approbation of the most enlightened statesmen and economists of the civilized world, and that its beneficial fruits are already appearing in a rapidly growing commerce, an enthusiastic national spirit, and the increasing interest manifested in all the institutions of religion, learning, and benevolence.

In the midst of such glorious labors, Count Cavour was marked by the destroyer, and, while his country more than ever needed his stately intellect, he was about to pass to other worlds. On the 30th of May, 1861, he had a chill, and he himself prescribed bleeding. The next day, he gave audience to a deputy who had just returned from Naples; and so exciting was the discussion during that interview, that he became rapidly worse; and so continued till June 4th, when the conviction sadly forced itself upon his physicians, that further attempts to check the fever would be futile. He had been excommunicated from the Church by the bulls of Pius; nevertheless, Frà Giacomo, a near personal friend, consented to administer to his dying patron the holy sacrament. That scene must have been deeply impressive. Below in the street were a multitude of hushed and mourning citizens, assembled at the last solemn rite in which their great friend was to participate. As the holy father ascended the broad portico which led to the palace, attended by the sacred paraphernalia of the Church, the grief of the populace became evident in uncontrollable sobs and moans. Within the ample edifice lay the dying statesman, surrounded by the relatives and friends he loved so well, his intellect clear and calm, his whole mind intent upon the ceremony of which he was about to be the central figure. After the sacrament had been administered, he enjoyed a few hours of peaceful rest; and in the evening the king came to that final parting which was to bereave him of a strong and trusty pilot. The interview was pathetic beyond description. The distinction between king and subject was lost in the love between man and man. On the 6th of June, Camillo di Cavour ceased to live, passing gently away, his departure hardly perceptible to those who watched his every breath. The public grief was profound and universal. All business and pleasure were abandoned out of respect to the memory of the great deceased. It was as if the chill spirit of Death brooded over every household, — as if in his death each family had lost a common parent.

Well might city and country be hushed in gloom; well might the beautiful land be shrouded in universal sorrow. In him they had lost one who was to them as Washington was

to us; and he had been taken, not as Washington was taken, in the evening of his life, and under the security of a completed structure, but while many years seemed still in store for him, and in the midst of a work in which order had yet hardly emerged from the chaos of revolution. Happily for them, another statesman was found who, though he could not fill the place made vacant by the great calamity, has nevertheless exhibited an ability and judgment equal to the demands of his position.

While a contemplation of Count Cavour's public career must elicit the highest respect for his genius and virtue, the record of his private excellence calls forth our love. Although he never entered into the noblest and wisest of domestic relations, he was yet renowned for love of social intercourse, for the vivacity and wit of his conversation, and for a benevolence which never slumbered. Throughout a life of almost uninterrupted toil, his temper remained sweet and forgiving, his manner retained its original elegance and kindliness, and his heart continued to beat in cordial sympathy with those to whom he was attached in friendship. Political life did not contract his mind, as it is very apt to do, to a mere capacity for fulfilling its requirements. He possessed and cultivated a rare taste for art and science, took a lively interest in the pursuits of gardening and farming, and enjoyed with genuine zest the relief which a refined and brilliant social circle gave from the weary hours of official labor. Such a character is seldom found in the annals of statesmanship and patriotism, — which too often teem with the evidences of selfishness, cruelty, and corruption. As an illustrious representative of the great principles of free government, we of America willingly place his name in envied proximity to that of our own beloved Washington. When the present exists only in history, and a future empire, extending from the Alps to the Sicilies, shall recognize but one sovereign through all its classic territory, the name of Cavour will be enshrined alone in the innermost Italian heart, and will be an inspiration to the noblest deeds.

ART. III. — 1. EUSTATHII *Commentarii ad Homeri Iliadem et Odysseam ad Fidem Exempli Romani. Cum Indice* DEVARII. 7 vols. in 4. 4to. Lipsiæ. 1825–30.

2. F. A. WOLF. *Prolegomena ad Homerum.* 8vo. Halis. 1795.

3. *Lectures on Ancient History.* By B. G. NIEBUHR. 3 vols. 8vo. London. 1852.

WHATEVER is remote from our accustomed modes of life seems to us unnatural, and, when at an extreme from us, unhuman. To the illiterate, the scholar is a strange being, and it requires little persuasion to convince the more ignorant that he works with supernatural agencies. Equally the scholar, if he keep himself apart from common forms of life, may often come to invest those forms with a poetic garb, and to see in the farmer ploughing a field something hardly more real and living than the same scene painted with Homer's golden words upon the shield of Achilles. This remoteness is the natural result of habits of seclusion and of the removal of sympathy, in large measure, from present and immediate surroundings to the past and to other scenes. So it follows that the busy world, esteeming those who are called scholars as practically divorced from humanity, because their eyes seem always turned backward into the shadowy past, regardless of the real forms moving before their bodily sense, does set apart all such as members of one great class. But this is rather a classification by exclusion, than one created by any mutual attraction through community of interests. The more we consider the members of this class, inquiring what they have sought and by what methods, we shall find, first, that they manifest an excessive individuality, arising from their solitary habits and from the subjects of their thought, — for all scholars have a Cyclopean element in their character, often strongly developed, leading them to sit on mountains apart, lawless and self-contained ; and, secondly, when there is a tendency to combine, we shall find not one class, but several classes, into which they divide, — so that, whenever and wherever they exist, they may be gathered, according to their objects and

modes of study, to comrades in thought, and they will turn each to his own by natural impulse, separating from many in the same school — if we may so extend the word — those with whom they have affinity.

If the divisions into which scholars might be classified were to be carefully distinguished, they would, we think, be three in number, and they would be found successive in development; not necessarily in respect to the general history of the world to the present day, but, what is more important, in respect to the evolution of any single epoch, or the history of any single nation. Niebuhr and Arnold both have pointed out this distinction, while they showed the fallacy of the ordinary division into ancient and modern history, the latter being parallel to the former, rather than supplementary. Thus, while the several phases which scholarship has assumed have a logical succession, two of them may be synchronous, owing to the different degrees of advancement in two different nations at one time. But since the scholar, by the very nature of his work, draws nourishment for his life from sources beyond the political boundaries that circumscribe him, and thus gets the benefit of progress elsewhere when his own nation is stagnant, so it will be found that these phases of scholarship, upon the whole, have had, or are having, each its period in general history.

The first of these phases may be termed the curious; using that word, of course, in its active sense. It springs from the temper of mind in which a child approaches anything new or strange. In its researches, it rejects nothing; it simply makes collections, and derives a gratification from the abundance of its antique treasures, amassing hoards of classical facts and fancies for the very pleasure of the work. When it attempts classification, it is either on the most obvious differences and affinities, or by arbitrary and artificial laws. It is characteristic of this phase of scholarship that it is found in connection with the largest leisure. Its disciples seem to undertake their work as if they should have plenty of time to finish it, and so might plan as largely and as minutely as they chose. Thus, in the Middle Age, the most noticeable period of this class, they had fellowship with the disciples of art who built the cathedrals

and illuminated the missals. With magnificent designs they coupled rare patience, and plodded on and on, as if the world wagged lazily, and there were in the womb of the present no restless movement of a giant future. The very word Scholiast indicates the leisurely character of these scholars.

The creation which their labors called forth was of the most fanciful sort. In the old soil of Grecian and Roman life they planted fantastic flowers from their own period, grotesquely intermingled with the native growth. Just as Dutch gardeners dehumanize trees and shrubs by cutting them into human shapes, so they, in the gardens of ancient literature, would cut and trim in the oddest fashion all the forms of beauty which they found, in the effort to make them look like their own fantasies. To our modern perceptions there is something very comical in the sight of these grave men giving birth to such levity. We seem to see them, gray-bearded, and laden with years and wisdom, sitting in the sun, blowing bubbles, and watching them in their wayward flight till they vanish into thin air. How tedious to us are their fine-spun subtilties, followed with such pertinacity through all their windings. Such was, indeed, the natural result of an intellectual life swayed by superstition and disengaged from practical affairs; and there can be no doubt that the celibacy of scholars worked much toward this result, since they were thus cut off from just what would have most effectually humanized their intellect, bringing it down from the clouds to build its structures upon a more enduring basis.

The writings of that ponderous Archbishop, Eustathius, are a good example of this phase of scholarship, when in its dominant period. To our modern habits of reading and literary work, there is something appalling in the sight of the fat volumes that contain his commentaries on Homer; and these are but a part of his labors. That a man, an Archbishop too, who certainly ought to be very wise, should deliberately sit down to the collection of all the facts that may, by any possibility, be connected with Homer, is in itself a matter for contemplation. But when we begin to read, and discover the Archbishop in the act of discoursing on a line of the poet, we see how, at the rate he moves, he might easily fill very many more

volumes. We stand aghast at the interminable sentences which wind along in so tortuous a course. Listen to him as he commences, "Now, mark this!" and then goes on in chase of a word, hunting it through all the cases, calling in the assistance of its congeners, cornering it in Euripides, losing it again, and then unearthing it in some grammarian; and after it is fairly on its back, happening to think of the matter of the passage in which it occurs, with another "Just notice this, now," he is off again upon the track of some mythologic scamp, or perhaps, worse still, holds up his forefinger to admonish one of the excellent sense contained in the sentiment, and with most laborious effort explains some thought clear as crystal in Homer, but likely to be muddy enough after Eustathius has been splashing his magisterial stick in it. He treats his readers — supposing him to care anything about them — as if they were, one and all, utterly stupid, and his author as if he were utterly incomprehensible. But if one has only the patience to examine him in spots, and understands the art of judicious skipping, he will give many thanks in the end to Eustathius, and will pardon him his tediousness in consideration of his industry. It is hard work indeed to select from his mass the really valuable portions; for he is like an ill-educated chiffonnier knocking about among old pottery, and by some bungling fortune lighting upon treasures worth finding, but for himself he has so little knowledge of the value of things that a Pompeian vase and a pitcher fresh from the wheel seem of equal worth.

This race of scholars has not wholly passed away. There are now, and ever will be, men with the same simple objective interest in matters of antiquity. The world looks with a kind of pity, not unmingled with contempt, upon them, as they browse in our libraries, busy on endless nothings, — arriving at small conclusions upon the most important subjects, and expressing weighty opinions upon the most trivial matters, hunting quotations with the vigilance of a professional detective through all the turnings of literature, and never so happy as when they can discover some oversight or blunder. They live in all libraries, and may be found poised before the bookseller's table. In the street they are *de trop*, but they

never know it, appearing utterly unconscious of the bustle about them. Their very dress is whimsical, not affected, denoting the remoteness of their life from the sterility, as they would think it, of the present. Such a man was George Dyer, whom Lamb has so affectionately quizzed.

But though this phase of scholarship is quaint now, in its dominant period it was natural and fitting. It is not the highest development, but it is of inestimable importance. The work which such scholars have done so cheerfully was essential to subsequent stages of learning. They made the collections for the great classical museum, and if they are ill-assorted, still it was of prime importance that the objects should be there. Thus Eustathius is to-day the great *thesaurus* for Homeric scholars. So, too, the labors of more recent scholars, who have wrought in the same spirit, are always of avail; nor can we, even if we hold such work in light esteem, help admitting the spirit in which it is effected to be at once cheerful and healthy. We are apt to think it childish, because it is so often amusingly *naïve*, and its possessors so unworldly-wise; but many in our own day would sigh after just such a spirit.

But this phase in its historic aspect was but preparing the way for one of higher importance. To a considerable extent curiosity had been satisfied, and a further development of scholarship assumed a *critical* phase. It is impossible that the mind should always or long content itself with an interest in the mere objects of antiquity; or that, beginning to inquire into them, it should stop at a mere fanciful playing with them, or at an arrangement according to the most apparent characteristics. The intellect, indeed, during the foregoing period, was so far swayed by reverence, and by superstition, its counterfeit, that the attitude of the scholar toward antiquity was that of wondering docility, accepting all things, and resting in them as the end. But with the reaction from this temper — the intellect being disenthralled — came a cold control over thought. Everything must be arraigned before reason, whose decisions are final. The disposition increases to take antiquity not for what it is in itself, but for what service it may render. There is a departure from the old, self-forgetting interest in

the object, and a growing tendency to look at everything subjectively. And the more this right of the intellect to sit in judgment is allowed, the more will it be exercised. Nothing is more insidiously tempting to the mind than the revelation of its power. The flattery to one's mental power in the conscious ability to find fault or to praise with discrimination is so sweet and so subtile, that the force of the mind is more and more turned in this direction. It is the pride which whispers the fatal words, "Ye shall be as gods," that works the destruction of simple wisdom, and builds in its place an arrogant science which measures everything by rod and plummet.

It is plain how apparently infinite would be the scope allowed to the energy of the mind set in this direction. Already there exists for it a mine of wealth in the unclassified, confused heaps gathered by the representatives of the curious phase of scholarship. This is the old curiosity-shop which is to be transformed into a scientifically arranged museum; and, indeed, it would appear as if the whole ancient world had been labelled and catalogued by the workers in this spirit. So it is that, with this wide scope for its energy, the reason has achieved elsewhere no victories greater than in the field of classical erudition. Critical scholarship has carried certain subjects to a length which few ordinary scholars care to follow. An exhaustive process has been applied to literature, which bewilders one who seeks to secure the results. Out of heel-bones and finger-joints these classical anatomists have reconstructed the products of pre-historic periods, and traced, step by step, the formation of language and the progress of the arts. And for mere quantity of work, the world has never seen more prolific results of study than have appeared, especially in Germany, during the last hundred years which we assume to be the dominant period of this phase of scholarship.

The ambition of minds working in this way has been to reach the end of their subjects. In two directions has this mastering purpose driven them. It has urged them laterally, carrying them over wide fields of research in quest of all that relates to their subject, and it has urged them forward, leading them with untiring perseverance to pursue it to its full and ultimate development. We cannot help comparing these

workers with the leisurely students of the earlier times; the latter dreaming away their lives, rambling with indefinite purpose, stopping at all they see, in no haste to conclude, and often losing themselves in vagaries with a carelessness inimitable by art; the former beckoned onward by the ideal of completeness, scouring wide fields that they may lose nothing essential, yet ever coming back to the main track, untempted by pleasing sights or sounds foreign to their labors. A feverish unrest pervades all their life, and their ceaseless toil depresses us with a sense of fatigue. Like Kay in Andersen's exquisite tale, they all seem bound by the icy rule of the Snow-Queen, their hearts growing more and more chilly as they endeavor in vain to arrange the blocks of ice that shall spell the word Eternity.

It is evident that, with completeness in view, the limitations of our human existence impose limitations also to our study. To be perfect, one must be minute; he must press in his work at the sides, that it may have more intense force in its proper direction; for expansion does produce feebleness. If the whole Greek verb be too much for a life-time, it may perhaps suffice for the aorist tense. Thus, one choosing a single pin-point for his energy, another setting his mind over the course of some equally narrow line, the probability is increased that each will attain some final complete result. And it is by this minute subdivision of labor that so much has been effected.

But in the very perfection of this criticism lies the reason for its most signal failure; for in just this is critical scholarship at fault, — it takes from its devotees the power of grasping wholes. The analytical faculties become so disproportionately enlarged as to produce a corresponding loss in the constructive powers which see immediately their object. Is it not true of the Wolfian (or Wolfish, as some would have it) theory of Homer's partition, that it found its eager upholders instantly among an erudite class of scholars, who had so strained their eyes over the fine dust of the Iliad that they had lost, in a measure, the capacity of seeing at a glance the beautiful entireness of the poem? The arguments adduced were ingenious, and many of them unanswerable by a similar method,

but they were too *acute;* and a plain scholar, who could have no chance in a dispute with these men, might yet have a much clearer judgment than they upon the question at issue. It was no strange thing, that among such scholars the primary argument drawn from the Iliad itself should fare so hardly as it did; but Aristotle was right after all, and the argument is there, as plain as a pikestaff, only the scholars could not discern it because their eyes were so close to it.

It was, indeed, impossible that critical scholarship so intensely active should fail at last to emerge into rank scepticism. To be able not to see a thing, comes in fact to be with some the highest proof of the excellence of their powers of sight. To feel that one has the ability to judge is, as we have said, very likely to lead one into the habit of judging. It is a fine thing, we admit, to arraign a line in Hesiod upon the charge of obtaining credit on false pretences, to hear the evidence, to weigh it, and perhaps finally to condemn the line to be expunged from all future editions. We are not disputing the value of such judgments, we are but pointing out the subtile temptation to the judge of perpetually asserting his authority. Thus the arrogance of criticism leads to change, to rejection, to annihilation. The mind becomes morbidly active, and a hunger takes hold of the reasoning power, which constantly craves some new food; but it never is satisfied, because it is diseased.

It may seem a trivial opinion, but we are inclined to think the world much the debtor to antiquity for its agency in keeping these men out of mischief, and thus contributing to universal peace. The existence of this critical spirit is due to other causes than to the subjects on which it expends itself, and it must, therefore, assert itself in some way; and surely it were better for such lynx-eyes to be penetrating the mysteries of the Cabeiri, than to be peering with cold look into mysteries more sacred and more vital to us; better, if these sheriffs will not rest without a culprit, that some unfortunate wretch like Phalaris should satisfy them, than that they should all be upon the scent of one even so culpable as Chatterton, tracking him by his blood to his warm grave; better, if we must have a victim for the Moloch of our critical wrath, that we should

select some ancient as the sacrifice, than that we should choose a neighbor and a friend.

It is hard wholly to turn from the more morbid aspect of this phase of scholarship. It arrests our attention; for it is painfully human. Tragic indeed is the interest which attaches to these solitary, restless spirits, vainly pushing on and on after perfection, and lying down at last, so many of them, with the cold mists of sceptical death gathering about them. Before, we looked upon a simple, nay, childish life, trustful even to foolish credulity. We thought it healthy, and so it is in its best state; but its health is mere freedom from sickness. There is in this second phase of scholarship, in its best condition, an impetuous, nervous life, that throws off by its vigor all impurities. It is therefore better than the first, and, if it be more liable to fail, it has a larger promise of success. It represents an advance, and that an important one. Its scepticism cannot wholly destroy the faith of the former period, but only its debasing credulity. The scholar has given up his unconsciousness of self and his simple trustfulness, but he has gained larger power for the dominant intellect.

It would seem, at first glance, as if the scholarship thus far considered covered the whole ground of the investigation of antiquity, or at least that a combination of the two elements, criticism meeting curiosity half-way, would produce the highest development of scholarship. But what it lacked separately in its two former phases, no mere combination could supply; for the want was a vital one. In just this does the scholarship we have considered fail, that it looks upon the antiquity which is the field of its research as something so inevitably past as to be dead. In one phase antiquity is regarded as some vast Herculaneum, where curiosity may hunt and fancy find play, but from which all life has departed; in the other, it is, indeed, a human body, but good only as it may serve the anatomist's skill, or be galvanized into a ghostly life by the action of the battery of scholarship. The very method of approach by these scholars toward the objects of their curiosity or the subjects of their speculation denies life and assumes death; they act and think as if there were an eternal barrier between the past and the present, and as if the world in entering upon its mod-

ern course — though they could not set their finger on the entering point — took leave of its ancient ways, and committed itself to new and totally different modes. In fine, they estrange themselves from the past which they study, by studying it solely as a past.

It seems a trite thing to say that the instinct of a common humanity shared with the ancients is the key that opens the door to the innermost treasure-house of antiquity; yet the very triteness of the declaration covers a profound truth. No one ever avowed the belief that the ancients were less human than ourselves, or attributed to them a different development in history; but really, and in a manner affecting the whole method of investigation, scholars have, time and again, treated the ancients as if they were Selenites, or as if the world of the nineteenth century before Christ were essentially different from the same world in the nineteenth century after Christ. They have treated men as performers upon a stage, they themselves living a real life; and thus they have drawn the life-blood out of antiquity, and presented us with cold images of a death simulating life. Through their labors, all the ancient modes of life seem so many non-conductors of sympathy. We approach the men and women themselves, whether of romance or of action, through such a thicket of scholastic lore, that we may be forgiven if we feel ourselves, when in their presence, shut out from the world we live in.

Surely, then, it is a progress in development of the last importance, when scholarship passes from a merely curious and critical investigation of antiquity, and enters upon a living phase, regarding the past not as past but as present, looking upon it as active, and so presenting it to others. It is, indeed, the immediate consequence of such scholarship, that it becomes the interpreter of the past, and the daysman between old and new civilization. It delights in discovering the real connection between things, despite the apparent contradiction of merely exterior differences. It breaks down the unessential barriers, and shows how the great fields of ancient and modern civilization are under one Master, who causes his sun and his rain to fructify each. It recognizes humanity under its most uncouth garb, and by this power annihilates time and space, and brings

alike old times and far countries into communion with the present and with its particular portion of the earth.

The power by which a scholar thus realizes to himself the ancient life, is a living sympathy with the present. It has been held necessary to seclude one's self from the present in order more completely to live in the past; to put out of sight one's neighbors and friends, and, by aid of the imagination, to transport one's self to old times and far countries; to fill the mind so completely with antique images, that the senses themselves shall conduct few new impressions to the brain, so that one thus living shall walk blindly through the crowded thoroughfares, and hear the voice of men as a distant hum. But if all realizing, humanizing aid of the present be rejected, what does such a life become but a pictured life? And, upon its fair canvas, what are the active men and women who appear in the scenes, however brilliantly painted, but pictured men and women? What are the philosophers holding discourse but marble statues, lifelike indeed in form, but cold as death in all spiritual existence? Nay, it is through the present only that we live in the past, and this not by idly fancying old scenes to be re-enacted on new ground, but by making the vitality of the present to reinspire the past. What affects our mental organization more than the intensity of action about us, — the throbbing of a nation's heart, as witnessed in some grand movement of the popular will, — and, most, the humanizing influences that arise from the personal relations we hold? If we shut ourselves from these, immured within walls of books, how do we rob ourselves of half our humanity, and thus of more than half the power to appreciate and reconstruct in ancient forms that same humanity, which, when it gave them shape, was as glowing as that about us! As far as one despises the joy-giving element in life, so far does he stunt his own capacity for appreciating, much more for enjoying, the same element in represented life; so far, too, as one closes his ears to the great questions of right and wrong, or of government, or of civil institutions, so far does he fail of understanding the significance of the same questions as they appear in ancient history.

The method by which one puts on record his own conception of this living past is not, as in the amusing classic stories

of Hawthorne, by trying to unite the old life with modern modes, but by such statement of the life common to old and new times as keeps mere modes subordinate; nay, as shows how fitting each is to its own time, — a work which has been accomplished by Kingsley, and better by Cox. To a vivid representation poetry offers less difficulty than prose, since it depends so little upon local and temporal accidents for its power to move men, that even a critical or a curious scholar may unawares own his common humanity with the author by yielding to its influence. Scholars of every sort meet nearly upon common ground when they come upon philosophy, from its very nature; but the greatest and most important difference is found in the manner of reading and interpreting history. The scenes and events which there touch the man beneath the scholar are allied to the poetic, and governed by the same rules; but what remains, — the growth of nations, the varied expression of national character, systems of government, and all historic changes, — these come chiefly under the notice of the intellect, and here the vitiating element of apathy enters. They are often discussed as if they were the curious parts of some vast mechanism, or the results of the action of thought upon its wide range of material. Even if all these matters have been treated so exhaustively that further search seems almost useless; if the treatment still lacks the vivifying element which reclothes them with their old life, we do not believe in them as we believe in what is going on around us. Niebuhr, in one of his Lectures, quotes the saying of some ingenious man, that "it is thought that at length people will come to read ancient history as if it had really happened." And the same writer says, elsewhere: "We need not wonder that ancient history, on the whole, is regarded as if its events had never actually happened; for it is commonly looked at without any attempt to understand it, and men judge of it by quite a different standard from that which is applied to modern history; but even the latter is not understood as it should be. Hence . . . . . the history of antiquity is divided into periods, without any regard to their differences; the division, in fact, is made with the same uniformity with which the bodies of the universe are classified, and as if it were altogether for-

gotten that history is a living body." So let one read Arnold's Thucydides, and he will see how a man, who seemed to throw his whole energy into the present, could, with all the stronger reality, enter into the Peloponnesian war, and come back, as if he had taken part then in state affairs, to bring to his countrymen in England the result of his experience.

The same truth applies with urgent force to the reading of the Bible. This becomes in our hands a dead book, especially in the historical portions, when we suffer the feeling that the abyss of time forms an impassable gulf between it and us. It is one thing to assent to the historical truth of the biography of Moses, and quite another to treat Moses in our minds as if he were a man like ourselves. So much are we under the influence of an unreal way of treating the Bible, that we often detect ourselves and others in notions with regard to it in which reason has no part. The writer remembers his shock upon noticing lately in a city paper the report of a celebration by the resident Jews of the annual Feast of Purim, at which festival there was a masked ball, and Esther, Mordecai, Haman, and others appeared in character, and, if we are not mistaken, enacted the historical scenes celebrated. A second thought showed it as a commemoration of a great event in the history of their nation; and if the religious observance was wanting, it probably appeared no more strange to them than to us our neglect to open the churches on the Fourth of July. German rationalism is in part at least the fruit of an ignorant, superstitious use of the Bible, in which men feared to think that the personages mentioned in it had any such life of their own as they themselves had, and imputed to them an indefinable sanctity. Much, very much, do we owe to the critical scholarship that set us free from the debasing credulity of curious scholarship, which might have been reverence once, but was fast becoming dead superstition. And much more should we arrest by a living scholarship the efforts of that same criticism, also rushing to its extreme of scepticism.

A vitalizing of scholarship, such as takes place when a generation of scholars pass from critical or curious habits to those of warmer and more vivid character, is most likely to occur in connection with violent, or at least powerful, changes

in political, moral, and social organizations. Thus we find that, upon the whole, the present century is the most important period of this phase of scholarship. When humanity receives such a shock as the French Revolution caused, the most absent scholar is called back to the world, and all minds that have any sympathy with their kind busy themselves with the problems which events are proposing. Out of this alliance of scholarship with life comes forth the glorious form which we have seen. The world and the college of scholars know each other's faces, and work side by side. Thus also we find that the scholarship of England in the Elizabethan era was of a vivid phase. It followed curious scholarship, and therefore was less severely accurate; but it has given us at least some of the noblest translations and the most acute observations.

It is, we trust, with no foolish national vainglory, but with heart-felt wish and strong hope, that we look to America for the finest consummation of this phase of scholarship. In that Declaration of Independence which we so noisily celebrate, we did not specify the more important independence of thought which we have it in our power to possess. We showed it, indeed, in the severance, and in the provokingly new way in which we have since gone on, just the contrary in deed and manner to what was predicted. But in separating from the mother country, and in subsequent declarations of our new-world sovereignty, we did not cut ourselves off from parental experience and old-world customs; we renounced no right to history, while resolving to combine the old forms anew, and to inspire them with fresh vitality. So in scholarship, we may take all the labors of those who have gone before us, and give to them our Western life. The emigrant who leaves older countries comes hither that he may work unrestrained by the toils which a long civilization has wound about him. Scholarship is not so bound; but it has its own restrictions, and from these we may set it free. Old formulas and traditional precepts we may sweep away, if they do but hinder the real life. If the presence of a free, quick national existence can elevate the scholarly mind and ennoble its pursuits, that presence is with us, and its fruits will surely appear. To-day the young scholar of America is, it may be, in the trenches of Virginia,

or penning words of fire for the press, or speaking to churches filled with souls whose thoughts fly, while he speaks, far away to sterner scenes. Wherever he be, even if in his quiet study, he cannot be blind or deaf to the surging life of his countrymen. Quiet must come at last, and with it new toils, and those of thought, for the sword cannot forever be the arbiter of our destinies, — if it cuts Gordian knots, yet new complications must appear not thus to be solved. What is there of worth in ancient life, literature, or history? O scholar! who readest it with thine ears open to questions asked by every thoughtful American, bring it to the light that all may see. We want the old lives that have been lived; the true words that have been spoken; the warnings of tried ways. These are the legacy of antiquity, and to thee, O scholar! belongs the trust.

ART. IV. — *Memoirs of Extraordinary Popular Delusions and the Madness of Crowds.* By CHARLES MACKAY, LL. D. London: G. Routledge & Co. 1856.

PORSON, a close observer of men as well as a sound Greek critic, once jestingly remarked, that he would some time write the history of human folly in five hundred volumes. Our author has given us but two volumes on this prolific subject, commencing with the "Mississippi Scheme" of John Law, which turned the head of all France, and ending with a chapter on the insane admirers of relics, — "men who have made fools of themselves for the jaw-bone of a saint, the toe-nail of an apostle, the handkerchief a king blew his nose in, or the rope that hanged a criminal." We shall not follow Mr. Mackay in his interesting discussion of the extraordinary delusions of the race in earlier times; but we propose rather to speak of the popular fallacies which, notwithstanding our vaunted progress, still bewilder the mind and conscience of the people. Out of the many which readily occur, we shall touch upon five; selecting them not because they are the most

striking which could be introduced to notice, but because they are severally connected with the five grand departments of our general education, and correspond to the intellectual, industrial, civil, social, and religious elemental forces in our national life.

The first popular fallacy to which we shall advert relates to the intellectual element in our national education. It is *the confounding of profound learning with practical uselessness.*

Physical activity, in this country, is considered by the many the chief end of man. The study-lamp of the student, in the general apprehension, shines upon an idle dreamer, a drone in the great hive.

As a question preliminary to a fair discussion of this topic, it is important to ask, Who are laborers in this world? Certainly not those only who till the soil, or make music with saws and hammers, or toil in subterranean mines, or do business upon the great deep; but all who contribute, in any way, to the physical, intellectual, moral, or political well-being of their race. If we do not greatly mistake, it will be found, even on a slight examination, that there is no interest of society, however material, which is not intimately and inseparably connected with the researches of the scholar. Behind and beneath the activities of the outward world, the motive power lies out of sight, and is therefore unappreciated. The furnace-fires, which work the piston, and keep the wheels revolving, and vitalize the whole vessel, are down in the darkness of the hold. What is it but the thought of dreamy scholars which now guides the rich freights of the merchant over pathless seas, drives the mysterious shuttles of the manufacturer, reveals to the farmer the hidden resources of his wasted acres, points the miner to the metallic treasures of the sunless earth, and flashes instant intelligence, whether pertaining to business or pleasure, across a continent? Look at the steam-engine, with its Titanic sinews, its Briarean arms, "breathing softly as a sleeping child," and yet endued with a force as mighty as the swelling of the sea. It is but the outward garb of thought. Villages, Thebes-like, spring up at the sound of its Amphion music, and around it gather troops of laughing girls, each of whom

is "a living story of love, and hope, and courage," more beautiful than any which Scott or Dickens has ever told.

"It would not be difficult," says one of the profoundest philosophers that England ever produced, — "it would not be difficult, by an unbroken chain of historic facts, to demonstrate that the most important changes in the commercial relations of the world commenced in the closets or lonely walks of uninterested theorists; that the most important of those discoveries and improvements in the mechanic arts, which have numerically increased our population beyond what the wisest men of a preceding age deemed possible, had their origin, not in the cabinets of statesmen or in the practical insight of men of business, but in the visions of recluse genius." A less close observer than Coleridge could hardly fail to see that the mere inventions of Watt, Whitney, and Morse have not only changed the world in its outward seeming, but have modified the intellectual and social condition of entire races. In truth, there is not an implement of husbandry, not a tool of the artisan, not a piece of machinery, not a human habitation, which has not felt the transforming touch of genius.

It is the glory of this nineteenth century, and especially of this country, that every department of human industry is luminous with thought, — thought which becomes at once the property of the Present and the heritage of the Future. It is not engraved in mystical hieroglyphics upon stone, but it is multiplied by the press, and scattered like winged seed on every wind. It is caught up by school-boy and proletaire, and discussed in reference to its *use* with an earnestness which would have shocked and disgusted the refined idlers of the Porch and the Academy. Time was when greatness among men was determined by the pound, just as we settle the weight and value of beef and pork. The strongest man was the king among his fellows. Red brawn was the badge of royalty. The suitors of Penelope despised and insulted her long-lost husband when he first, as a disguised mendicant, ventured in among them in their revels; they trembled and grew weak in their knees when they found he could bend the bow of Ulysses. But the reverence and terror which brute

force once inspired have become a matter of history. Samson would make poor headway with his jaw-bone against the smallest Zouave with a Minié rifle on his shoulder. The great Pyramid of Cheops, which required in its erection a hundred thousand workmen, relieved every three months, for twenty years, could now be built in half the time by a dozen Manchester engines, managed by a hundred skilful engineers. It is getting to be understood that he succeeds best in his undertaking, whatever it be, who brings to it, not the greatest physical power, but the keenest intellect. The strength which could toss the mountain crag far out into the sea was of little use to Polyphemus after the wily Greek had bored out his eye. There never was a great act which had not, nearer or more remote, a great thought for its ancestor. The old rhymester believed this when he wrote: —

> "He that good thinketh good may do,
> And God will help him thereunto;
> For was never good work wrought
> Without beginning of good thought."

The sneering assertion is too often made without rebuke, that high themes of state are by no means fitted to the closet of the student; that the mighty interests of confederate and yet conflicting sovereignties cannot be subjected to the canons of scholastic rhetoricians or to the crucibles of experimenting chemists; that the wheels of government are too wide-sweeping in their revolutions and too complicated in their adjustments to be controlled or regulated by the feeble strength of white-handed theorizers; in a word, that practical affairs, moral and political as well as mechanical and agricultural, are not suited to men

> "Sicklied o'er with the pale cast of thought."

The world is too apt to associate power with the noise and pomp which attend its exercise. Because the cackling of geese once saved the Capitol of Rome, it is thought to follow as a logical *sequitur*, that the senseless gabbling of featherless bipeds is always of more efficiency and value to a people than the counsels of a Cicero or the philosophy of a Seneca. Wisdom is sought in the camp and in the agora; seldom in

the halls of learning. Warriors show the wounds which the happy accident of a Mexican copper bullet may have inflicted, and they are forthwith inducted without the laying on of hands into the sanctuary of our national government.

Far be it from us in this "working-day world" to disparage the achievements of the doers in any field of honorable enterprise. But after all, where but in the brain of the thinker are forged all constitutions and polities and laws? Who but he adjusts the mechanism of society, and knows where to touch the invisible springs of human action? The garret in which the scholar sits among his books, is higher than the saloons of wealth or fashion. The mists which rest upon the lowlands do not rise so as to shut out or refract the clear white light of the noontide. His narrow room is radiant with a brightness not of the sun, and he looks forth as from a mount of vision. His eye scans the wide and teeming Present. The Past, with all its treasures of wisdom and experience, are his. The goodly fellowship of sages, poets, orators, and philosophers inspire him in his prophecies for the Future. The proud exclamation of the great leader of modern science, "We are the ancients," is eminently true of the scholar. For him Virgil told the adventures of Æneas, the fall of Ilium and the rise of Rome; for him Demosthenes declaimed on the sea-shore, and from the sounding Bema

> "fulmined over Greece
> To Macedon and Artaxerxes' throne";

for him Socrates discoursed of life and death and immortality; for him Plato and More created ideal republics; for him Cicero hurled his anathemas at Catiline, and talked as no one had ever talked before, of patriotism, justice, and law; for him Bacon laid deep and broad the foundations of experimental philosophy; for him Hampden and Sidney, Washington and Lafayette, fought the battles of freedom; for him Burke and Chatham, Marshall and Story, expounded the principles of constitutional liberty; for him artists, famous or unknown, touched with magic power the stones of Rome, of Greece, of Egypt, and of half-fabulous Assyria, so that they speak to him an intelligible language from far-off centuries. There has not been a poet, who has not burned and sung for him; not

a philosopher, who has hidden from him his profoundest and most subtile thoughts; not an orator, whose eloquence has not stirred, like the angel of Bethesda, the fountain of his being; not an earnest student, whose midnight lamp has not shone for him; not a champion of human rights, whose valor he has not witnessed on the red field of battle; not a martyr to truth, whose blood does not cry to him from the ground. The brilliant intellects and brave hearts of remote ages have sent their great thoughts and great deeds down to him, as the fountains of the Apennines sent their pure waters, through far-reaching aqueducts, into the city of Rome. All that is valuable in liberty, in science, in philosophy, in religion, in law, the past has poured at his feet. How preposterous, then, to maintain, that the profound scholar, thus situated in the light of other days, rich in the wealth of buried centuries, should be regarded as incapable of good or ill in the exigencies of society, while the great interests which belong to the well-being and existence even of nations are committed to the hands of trading politicians, impudent pretenders to patriotism, eel-fishers in the Copais Palus,* brazen demagogues whose reverberating sciolism is as empty as their heads!

The unobtrusive thinker, then, is not a cipher at the left hand of society. He has a power for good far transcending the conception of those who look upon the student's life as one long holiday. To the service of his country he brings a sterner culture than can be found in a listless wandering amid Sabean odors, — a higher consecration than a baptism in rose-water can give, — a larger experience than those who live only within the horizon of the passing hour can know, — a clearer prescience than the leaves of the Sibyl or the utterances of the rapt Pythoness can impart. He stands a daysman between the Past and the Future, and can lay his hand upon them both. Without him history would have no lessons for the Present, but would be a "dreamy, aimless procession

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* ὅπερ γὰρ οἱ τὰς ἐγχέλεις θηρώμενοι πέπονθας· ὅταν μὲν ἡ λίμνη καταστῇ λαμβάνουσιν οὐδέν· ἐὰν δ' ἄνω τε καὶ κάτω τὸν βόρβορον κυκῶσιν αἱροῦσιν.

Knights, v. 864–867.

of lost spirits descending into the pit." Without him the ship of state would drift in darkness on a perilous sea, with no charts of hidden rocks and lee-shores, and with no beacons on the headlands. Without him to feed and guard the lamp of thought, the light would grow dim, and the flapping of a conqueror's banner would extinguish it forever. Without him to discover and invent, the hum of industry would be hushed in our work-shops, and the music of machinery would cease to mingle with that of our mountain streams. In estimating the value of men, and determining their relative importance in society, we must look beneath the surface of things, and remember that one great principle, either in science, morals, or political economy, distinctly enunciated and clothed with organic life, outweighs the armies and navies of the world, is more decisive of the destiny of the human race than all the great battles which have ever been fought, from Marathon to Magenta.

The next popular fallacy to which we shall refer relates to the industrial element in our national life. It is *the confounding of wealth with material riches.*

The distinction here is not a subtile one, as might at first glance seem; but it is broad and radical. The word *wealth* belongs to a numerous family. Its nearest relatives are the English words *weal*, *well*, *heal*, *hale*, and the Latin *valeo*. The primary idea in it, therefore, is *soundness*, — soundness of mind and body, a symmetrical wholeness; and *wholeness*, we know, is etymologically, if not theologically, synonymous with *holiness*. *Riches*, on the other hand, is allied to *rex*, *rego*, *regnum*, and to our English substantives *reach*, *region*, and implies, therefore, extent of possessions and power. Wealth, we see then, is a subjective term, relating primarily to the quality of the man; while riches is an objective term, and refers exclusively to the external world, to farms and flocks, ships and merchandise. The man who does not own a rood of land, nor even a single share of fancy stock, may have a wealth of affection, of intellectual culture, of moral sentiment, which all the "barbaric pearl and gold" of the East could not buy. Most men look upon the earth only as a great farm, suitably divided into mowing, tillage, and

pasture-land, with numerous water-privileges and orchards. They see no footprints in the old red sandstone, but they are sharper than Lynceus to detect infinitesimal gold or platinum specks in quartz rock. "Put money in thy purse," was the precept of Iago, and it is obeyed with more relish than the Decalogue in every profession and rank of life.

> "Lord Stafford mines for coal and salt,
> The Duke of Norfolk deals in malt,
> The Douglass in red herrings;
> And noble name and cultured land,
> Palace and park and vassal band,
> Are powerless to the notes of hand
> Of Rothschild or the Barings."

But while too many make the acquisition of money the overmastering passion of life, we would not be understood as decrying its value. That it is a good thing for the individual and for the state, does not admit of a question. The constituent elements of our civilization — our manufactures, commerce, and agriculture, our educational and religious institutions — require, one and all, a capital, immense beyond the conception of those who flippantly talk of the utilitarianism of the age. If the material riches necessary to a high state of civilization could be more equally diffused, it would undoubtedly be a blessing to rich and poor alike. It is an unhappy fact, that nine tenths of the property of this country is owned by one tenth of the people. But this is the result of our individuality, and our individuality is the result of our civil and social liberty. It is, like sin, the consequence of the freedom of the will. But it is a consolation to those of us who are fellow-citizens in poverty, — who look forward to affluence as the Hebrew, faint with watching in a strange land, looks forward to the coming Messiah, with a hope fringed and shadowed with despair, — to know that riches are not the true wealth, that money is not all of property. Your neighbors across the street live perchance in magnificent houses, and occupy large estates. They point to certain dingy scrolls in the Register's office, and call these buildings and grounds their own. But it is your fault if they are not essentially yours as well as theirs. They may, it is true, range

at will through drawing-room and boudoir, as you may not, and consume the fruits which spring up along the garden paths; but the divine effluence which comes from marble colonnades and "speaking oaks," the incense shed from the thousand swinging censers of blossoming trees, the morning music of singing birds and lowing kine, — these cannot be held by title-deeds, or shut in by high walls and triple-thorned acacia. It is only the grosser products of the dull earth which can be appropriated to individuals; — the ethereal essence of nature, its beauty and its glory, are free as the chainless air. They were meant for all who have the seeing eye, the hearing ear, and the understanding heart. It is quite possible that the rich man may reap a smaller harvest from his broad acres than the gardener who trains his vines and trims his trees. The greatest loser by the destructive fire in New York city, in the summer of 1842, was not the millionnaire whose massive structures sunk to ashes in an hour; but it was the poor negro woman who only lost the two trees and the little bed of flowers which glorified her tiny garden, and upon which she had expended the strength saved from incessant toil, and the watchful care which the full heart must lavish upon the sole objects of its yearning affections.

It is a significant question which Mrs. Child asks in one of her letters, "Which would a mother value most, the price of the most elegant pair of Parisian slippers, or a little worn-out shoe, once filled with a precious infant foot now walking with the angels?" There are a thousand things which make up the sum of our real wealth, over which money has no power, — with which it has nothing to do. Who would cut down for the market the tree which sheltered his childhood, or sell the portrait of a friend in heaven? These things, and such as these, have an intrinsic and permanent worth, irrespective of the rise and fall of stocks, independent of the fluctuations of society and the progress of the race. But material riches have no absolute value; they are only relative, and therefore always changing. What is a luxury in one age becomes a want, or even a necessity, in a succeeding age. Our aristocratic ancestors in the fifteenth century sat on wooden benches, drank their beer in wooden bowls, and ate their salt-

fish or joint of beef on pewter plates. Now the Catawba of their descendants sparkles in cut-glass or gold, and the richest meats exhale their fragrance from Sevres China. Chimneys and window-glass were wonderful domestic rarities, and bleached shirts and cotton umbrellas were personal extravagances at periods not very remote from this. An Irish shanty by a railroad-cut is a palace compared with the human lair which a troglodyte of the Upper Nile calls his home.

It was a characteristic remark of Lord Falkland, "I pity unlearned gentlemen on a rainy day." The educated man is never alone. He may not be admitted to the first circles, or to "our set"; but Plato never sends his servant to the door to say "Not at home" to him, and Shakespeare never "cuts" him in the streets. In nature, too, there is no "Fifth Avenue," no favoritism, no exclusiveness, no costly pews along the cathedral aisles of her grand old woods. When Michael took Adam up into the highest hill of Paradise,

> "To show him all earth's kingdoms and their glory,"

he not only "purged with euphrasy and rue the visual nerve," but he also

> "from the well of Life three drops instilled,
> E'en to the inmost seat of mental sight."

It is here where we find the grand distinction between men, — a distinction deeper and broader than that which lies between poverty and riches. Money, at best, is but the complement of the senses. It can, like the angel, introduce us into new fields of vision, spread out before us the colossal grandeur and profuse luxuriance of a tropical clime, or fling open the doors to galleries of painting and sculpture in Rome or Corinth; but, unlike the angel, it cannot give us the intellectual power of appreciating either nature or art, or the delicate taste which can relish and enjoy them.

> "We may not hope from outward forms to win
> The passion and the life whose fountains are within.
> O Lady! we receive but what we give,
> And in our life alone does nature live."

Our own poet-philosopher, whose scholarly pen has rendered classic the fields and river which the first blood of the Revo-

lution made sacred, has brought to this subject, as to many others, the discrimination of a clear-seeing intellect. "The moral sensibility, which makes Edens and Tempes so easily, may not be always found, but the material landscape is never far off. We can find these enchantments without visiting the Como Lake or the Madeira Islands. The stars at night stoop down over the brownest, homeliest common, with all the spiritual magnificence which they shed on the Campagna or on the marble deserts of Egypt. The uprolled clouds and the colors of morning and evening will transfigure maples and alders. The difference between landscape and landscape is small, but there is a great difference in the beholders."

The distinction between wealth and material riches is as clearly marked in the state as in the individual. The immense territory of our own country, washed by oceans three thousand miles apart and stretching wellnigh through a zone; our inland seas and majestic rivers, bearing on their bosom the products of a teeming soil; our interminable coasts, scalloped with bays and "broad-armed ports"; the white wings of our commerce, beating, like the albatross, the air of every clime; our panting engines, running on their iron tracks across the continent or raging in the streets of our cities, like the fiery chariots of Nahum; our mountain streams, weaving and grinding for a naked and hungry world,— these are not to be overlooked or forgotten. But it should be remembered that a state has other and better property than that which serves its material uses. The great thoughts which have illuminated it, the great words which have been spoken in it, the great deeds which have been done in it, the great works of art which have been wrought in it, the heroic self-sacrifice which has sanctified it, — these are a nation's chief and choicest possessions.

Another wide-spread popular fallacy relates to the state, — to the τὰ πολιτικά of Aristotle. It is *the confounding of Law with legislative enactments.*

We do not mean to say that these are never accordant, but we do mean to say that they may be, and often are, in direct and open antagonism. In discussing this point we shall of course leave out of view all those regulations of public conduct which have no moral quality, but are merely prudential.

There is no inherent right in catching alewives in Taunton river on Fridays; no inherent wrong in catching them on Saturdays. Whether a young man shall pay a poll-tax at the age of sixteen or twenty-one, is not a question of morals, but of political economy. There is in the world, especially in despotic governments, not a little solemn quackery about the inviolability of human legislation, the awful and unapproachable majesty of mean and wicked enactments promulgated by mean and wicked men.

Law in its highest and proper sense is either the mode in which God acts, or the property which, in the constitution of things, he has impressed alike upon mind and matter. Unlike human statutes, it is uniform, universal, immutable. This distinction, too little recognized in modern times, did not escape the acutest mind of antiquity. "Law," says Cicero, "in accordance with the opinion of the wisest men, is not a thing thought out by the ingenuity of man, nor is it a decree of the people, but it is an eternal entity, coeval in its origin and harmonizing in its action with the Divine Mind." Few truths of more vital importance in their relations to man have ever been uttered by uninspired lips.

The great mass of the people have yet to learn, that far above the conflicting opinions of men, far above the clashing statutes of deliberative bodies, Law has "its seat in the bosom of God," unchanged and unchangeable, the same yesterday, to-day, and forever. We desecrate the name of law, whenever we apply it, as men are wont to do, to the capricious decrees of despots, or to the fiats of a fickle populace. The greatest enormities that have ever darkened and disfigured the history of the world have been perpetrated in strict accordance with the forms and spirit of legislative enactments, or in the common but false and deceptive phrase, "according to law."

Hancock and Adams rebelled against British rule, and trampled under foot stamp-acts and writs of assistance, and, because they succeeded in the struggle which followed, they are held in grateful remembrance by worshipping millions. But had they been defeated, they would have been hanged with their compatriots on the highest tree — "according to law."

Algernon Sidney was suspected of opposition to tyranny and a love for constitutional freedom, and because he failed in his efforts to overturn the one and secure the other, he was convicted of treason before the infamous Jeffries, and beheaded on Tower Hill — "according to law."

A slave of Pedanius Secundus, Prefect of Rome, had, as Tacitus tells us, bought his liberty, and because the boon for which he had toiled and paid was unjustly withheld, he in his desperation murdered his master. For this act, the guilt of which, whatever it might be, attached to him alone, all his fellow-slaves, four hundred in number, of every age, from helpless infancy to the decrepitude of years, of every shade of complexion, from the fair-haired daughters of German princes to the captive soldiers of Indian kings, were tried for their lives. It mattered not that they were innocent; it mattered not that the people were inclined to mercy; the Senate was inexorable, and they were all executed in cold blood, without pity and without exception, but the butchery was done — "according to law."

Socrates, the brightest genius in the dark past, whose "low-roofed house" had been made radiant by the light of philosophy, if not of love, was arraigned before the popular tribunal of the Heliæa, by a majority of three voices was condemned to death, and, therefore, drank the hemlock — "according to law."

It is fitting that we, as constituent elements of a free government, as men who cannot delegate our duties and responsibilities to priest or judge, should discriminate between the true and the false, — between that legislation which is but the re-enactment of the Divine Law, and therefore a "terror to evil-doers," and that legislation which is but the expression of human prejudice and passion, and sets its heel upon the sanctities of Eternal Justice. The one demands our reverent obedience; the other deserves our indignant maledictions. We need not raise the bloody flag of revolution. That is the prerogative of the down-trodden victims of despotism; in this country it would be an atrocious crime. In a republic we may appeal to the people, with a confidence proportioned to their intelligence, and await the remedy of the ballot-box.

Meanwhile it should be remembered, that when citizens, through loyalty to the government, attempt to obey a statute which is in contravention of all right, they set their nature at strife with itself. They are compelled to annihilate in themselves conscience, instinct, principles, all those qualities and attributes of character on which alone law can rest. It is as if the great goddess Diana, as Coleridge somewhere expresses it, had commanded her priests to dig up the charcoal foundations of the mighty temple of Ephesus in order to furnish fuel for the burnt-offerings on its altar! "That which is not just," said Algernon Sidney, in his epigrammatic way, "is not law, and that which is not law ought not to be obeyed." We cannot, like the Samaritans of old, "fear the Lord" and at the same time "serve graven images."

No wise prince, much less an enlightened deliberative assembly, will ever promulgate an ordinance which a patriotic people can obey only by sacrificing their self-respect, and trampling under foot the immutable principles of right. The "Antigone," foremost among Greek dramas, forcibly exhibits, in the impassioned dialogue between Creon and the heroine of the play, the conflict between the divine law and human decrees. We know of nothing grander than the reply of the condemned though fearless maiden to the tyrant's question, "Hast thou dared to transgress these edicts of mine?"

> "I had it not from Jove, nor the just gods
> Who rule below; nor could I ever think
> A mortal's law of power or strength sufficient
> To abrogate the unwritten law divine,
> Immutable, eternal, not like these
> Of yesterday, but made ere time began."

It is not enough that judges lend to the obnoxious statute the sanction of their approval. However honest and hearty may be our reverence for the judicial dicta of the Woolsack, it is not to be forgotten that William Scroggs and George Jeffries once wore the ermine, and that the intuitions of our own moral sense are sometimes clearer than the vision of Lord Mansfield and Sir Matthew Hale. There have been, and still are, not a few judges whose faces are always turned towards the pyramids, — men in whose estimation dead "au-

thorities" are of more consequence than living justice. An extensive knowledge of books is valuable in the highest degree to him who has the faculty of making the great thoughts of other men enkindle his own intellect to a whiter heat; but not unfrequently the fuel is green and puts out the fire. A case adjudicated by some trembling minion of tyranny, anxious to retain his judicial robes and fearing to displease his master, in the reign, it may be, of Henry VIII., or of some despot still nearer the flood, is not necessarily of more weight and value in determining questions of right, than the unbiassed opinion of an intelligent man who happened to be born in the nineteenth century. Robbers in the East, as we are told, formerly used a certain kind of lantern, the candle for which was made of the fat of a dead malefactor.* The mouldier the fat and the greater the scoundrel from whom it was taken, the surer the light which it furnished and the richer the spoils to which it led. Black-letter judges, slaves to musty "precedents," are the dupes of a similar superstition. Men are slow to learn that the highest "authority" is that of enlightened reason, and that the only irreversible "decisions" are the decisions of common sense. When these are violated, either by the enactment or by the interpretation of a statute, it is not less the duty than the right of every law-abiding citizen to utter his earnest protest. Nothing can be infallible or final which is not just. The people are a higher tribunal than Star-Chambers or Inquisitions. The bench and the throne cannot feel the ground-swell of the heaving millions, without toppling to their fall. We have not forgotten that Chief Justice Hutchinson decided that writs of assistance might be lawfully issued; but the people thought differently, and the world knows the result. We remember that the twelve English judges in the case of Hampden decided unanimously that ship-money might be levied, in accordance with

* It is in allusion to this custom, that Moore, in his Lalla Rookh, stigmatizes the judges of his day: —

"Ye wise, ye learn'd, who grope your dull way on
By the dim twinkling gleams of ages gone,
Like superstitious thieves, who think the light
From dead men's marrow guides them best at night."

law, by the crown, without the intervention of Parliament. But the hard-headed Anglo-Saxons, so far from submitting in cheerful acquiescence, "agitated" until these same ermined functionaries reversed their decision in every particular.

The next popular fallacy which claims our notice relates to the social element in our national life, — to our manners. It is *the confounding of reverence with servility.*

The confusion of terms here indicated is perhaps peculiar to this country. It naturally grows out of the freedom of our institutions, — out of the levelling tendencies of our democratic ideas. We do not, in the intensity of our independence, discriminate between reverence and its counterfeit presentment. The dread of appearing servile has led us to be irreverent alike to age, to station, and to things sacred.

We read in relation to the entertainment given by Joseph to his brethren, that "they sat before him, the first-born according to his birthright, and the youngest according to his youth." Herodotus tells us that the young men of his country and time yielded the road to age, and rose from their seats before the hoary head. It is a noticeable fact, that Demosthenes, the foremost man in the Athenian Senate of Five Hundred, was compelled to apologize, in his first Philippic, for rising to speak before all the older members had delivered their sentiments. The liberty and national existence of Greece were at stake, every heart was glowing, every ear was erect to hear the burning words of the greatest orator in the world, and yet Attic patriotism was subsidiary to Attic politeness. Xenophon, in his Memorabilia, says: "The older citizens were in the habit of inquiring of the youths whom they met in the streets of Sparta the place of their destination and the purport of their errand, and reproved those who refused to answer their interrogatories and those who attempted to give an indirect reply." It may be proper in this connection to say, that there was one single exception to this rule. That class of the community which they called οἱ ἄγαμοι, and which we call "old bachelors," were not considered by the Greeks as entitled to the ordinary courtesies and amenities of social life, and to them, therefore, boys and girls alike might be as saucy as they pleased, without fear of punishment.

Cicero, in his "De Senectute," declares, that "the respect which is paid to age forms an infallible criterion by which to determine the moral advancement of a people." We are not disposed to question the truth of this assertion. It is a significant fact, that the connection between the demeanor and the character was deemed so intimate and inseparable by the two most deep-seeing and philosophic nations of antiquity, that in the Greek and Latin languages good manners and good morals are the same thing. There is but one word in each for both. The most careless observer of the present day cannot have failed to notice, that the boundary line between them, like some of the lines in geography, is only an imaginary one. We cannot gather grapes of thorns, or figs of thistles. The soul imparts its own hue and quality to the external life. Or, as Spenser has said in his own quaint way, —

> "'T is of the soul the body form doth take,
> For soul is form and doth the body make."

Dr. Johnson was a bear in social intercourse, because he was a bear in spirit and feeling. Good manners are the blossom and fragrance of good morals.

The fear which many parents feel, lest their children may not be sufficiently independent in character, coupled with the anxiety of babes and sucklings to grow up and be brought out, has created a feud between nature and fashion, and introduced into society between childhood and mature life a new order of beings, a sort of third estate. We have now in many communities no boys and girls, but a nondescript class of bipeds, waiting to be classified and named. It is certain that our great naturalist, should he undertake the task, will not find in all of them the modest reserve, the respectful demeanor, and the reverent spirit, which were once the characteristics and the glory of the young.

The spirit which animates men is naturally reproduced in boys, and re-enacted in the nursery and at the public schools. In the increasing activity of our people, in the intensity of our haste to be rich, we cannot wait to be respectful. Parents once brought up their children; children now bring down their parents. Formerly, the traveller in passing the school play-

ground was saluted by deferential bows and courtesies from its party-colored columns of light infantry; now, the hat adheres to the head as firmly as the scalp, the "pregnant hinges of the knee" have forgotten how to crook except where "thrift may follow fawning," and the traveller is happy if he can dodge between the snow-balls which fly around him like bomb-shells from a Malakoff. There is no station high enough, no place of power dazzling enough, to inspire Young America with awe, or to call forth any show of reverence.

We have read of an honest Hibernian who plunged into the water, when George IV. was landing at Kingstown, to shake hands with his Majesty, and who was ever afterward so proud of the circumstance, that no earthly inducement could prevail upon him to wash the hand his Majesty had pressed. It is difficult for us to understand and appreciate the spirit of loyalty which animates the subjects of European monarchies. We do not associate the government with any substantive reality. It is an idea, not a person; a majority of votes, not a crowned head; the result of a popular election, not one of God's anointed. The humblest man among us is a Warwick, and can make and unmake kings as easily as the Duke of Northumberland. We are living in the enjoyment of the largest liberty. We look up with reverence to no titled nobility. We despise the obsequious fawning of little men. We practise no genuflections before lazy dignitaries. We train our backs to bend and our eyes to droop in presence of no earthly potentate. It is not true of us, as Juvenal expresses it,* that "death alone divulges how little are the bodies of men." We measure with unquailing, curious look the tallest and the proudest, long before we dig their graves. The terms of deferential address, which are always demanded from the lower classes in a country whose government recognizes a distinction of rank among its subjects, are all barbaric jargon to us, and he who should use them here would be regarded as a grotesque caricature of manhood. In the thoroughness of our contempt for the servile homage paid to blood and birth and place, we have gone so far in the other direction as to emancipate ourselves from

* "Mors sola fatetur
Quantula sint hominum corpuscula."

the restraints of good breeding, and to maintain our independence of the beautiful amenities of life.

But perhaps the most unsatisfactory aspect in which our want of reverence can be viewed, is in its relations to things sacred. There is in our temples no veil through which the high-priest alone may enter. The foot-fall of the curious inquirer may be heard in the innermost *penetralia*. We do not often take off our shoes because the ground whereon we stand is holy. The Urim and Thummim are only bright buttons on a flashy vest, and the halo around the priestly head is moonshine to us, and nothing more. We do not see anything wrong in laying hands on the ark, and we wonder that the anger of the Lord was kindled against Uzzah at Nachon's threshing-floor. The Mahometans will not tread on the smallest piece of paper in their way; "for," say they, "the name of God may be written upon it." We are troubled with no such scruples. The sacred pages which contain the glowing words of Isaiah and David would be deemed quite as appropriate to light our cigars as to kindle our devotions. The old Hebrew had such a veneration for the name of Jehovah, that he would not pronounce it, even in holiest forms of speech, but used instead of it Adonai or Elohim. There are among us not a few who feel that a simple assertion or plain statement of obvious facts will pass for nothing, unless they swear to its truth by all the names of the Deity, and blister their lips with every variety of hot and sulphurous oath. If we observe such persons closely, we shall generally find that the fierceness of their profanity is in inverse ratio to the affluence of their ideas. We know not but that this may be regarded as a general formula. Byron seems to recognize it when he says of Jack Buntin,

> "He knew not what to say, and so he swore."

At any rate, we venture to affirm that the profanest men within the circle of your knowledge are afflicted with a chronic weakness of intellect, and that their half-dozen thoughts rattle in vacant heads like the brazen pebbles we read of. The utterance of an oath, though it may prevent a vacuum in sound, is no indication of sense. It requires no genius to swear, — to "swear terribly like our army in Flanders."

The reckless taking of sacred names in vain is as little characteristic of true independence of thought, as it is of high moral culture. In this beautiful and breathing world, filled as it is with the presence of the Deity and fragrant with incense from its thousand altars of praise, it would be no servility should we catch the spirit of reverent worshippers, and illustrate in ourselves the sentiment that the Christian is the highest style of man.

The last popular fallacy to which we shall allude relates to the moral element in our national culture. It is *the confounding of a religious life with a theological creed.*

The Protestant traveller, who for the first time visits Milan and joins the thousands who, at the vesper hour, throng the avenues and courts of its magnificent cathedral, may amid the gathering gloom of twilight bow with the Catholic devotee at the shrine of the Holy Mother, and yet not assent to the Biblical interpretations of Papal Œcumenic Councils, nor forsake for a moment the faith of his fathers. As he gazes upward upon the immense dome, and around upon colossal statues and long-drawn aisles, the one sentiment of stupendous grandeur, of vastness that dilates rather than humbles the beholder, overpowers alike his prejudice and his pride, and his full soul must flow forth in devotion. The massive columns, the gorgeous paintings, the music chanted by unseen choirs, the tapers faintly burning, dark-eyed maidens kneeling at ancient altars, — all appeal to him with an eloquence which cannot be resisted. They do not ask him to believe in the infallibility of the Pope, nor in the intercessory power of the Virgin Mary, but they ask him to lift his heart in adoration.

A man may be a good man with a very poor creed, or even with no well-defined creed at all. "In unnumbered cases," as Professor Park well says, "the real faith of Christians has been purer than their written statements of it. Men, women, and children have often decided when doctors disagreed, and doctors themselves have often felt aright when they reasoned amiss." It would be difficult, not to say impossible, to frame any written document, however short and simple, which should receive from its readers the same mental interpretation. Words take their meaning, not from their component letters, but from our own natures and associations.

As no two persons ever saw the same rainbow, so no two persons, Christians though they may have been, ever worshipped the same conception of the Deity. We are differently constituted. Our physical temperaments, our intellectual habits, our moral susceptibilities, our hereditary proclivities, separate us. Each has an ideal of the Supreme Good, peculiar to himself. The strong, severe man, who regards human weakness with contempt and sin with indignation, naturally endows the object of his worship with the qualities of his own mind, only in their highest degree. The Infinite One is to him, therefore, an impersonation of inflexible Justice, and his reverence for him is enhanced by the assurance, that he "will by no means clear the guilty." On the other hand, the man of gentle character, who would not "needlessly set foot upon a worm," does not appreciate the sterner attributes of the Godhead, but looks up only to a loving Father whose "tender mercies are over all his works." John Foster in his boyhood "abhorred spiders for killing flies, and abominated butchers." We are not surprised, that, in his manhood, this same John Foster, in all the ripeness of a beautiful Christian character, with his great heart still more tremulously tender than a woman's or a child's, could not accept the doctrine of eternal punishment. On the contrary, Calvin, equally honest, equally earnest, equally profound, could contemplate with composure the burning lake as the necessary and chosen abode of the incorrigibly depraved. He, like Dante, believed that in the future world, as in the present, there must be mingled with an infinite pity an infinite rigor of law. He saw, that here sunny skies are darkened with lowering clouds, from whose depths "leaps the live thunder"; that the spiced and favoring wind, wafting the white sail over the tranquil sea, is changed into the fearful tornado, whose wild wail mingles with the "bubbling cry of some strong swimmer in his agony"; that flowery lawns and June blossoms are charred and wasted by the burning lava of volcanic wrath; that faces, mantled with the smiles of birthday and of bridal, are stained with tears and overshadowed with hopeless pain; that Olivet had not only rung with the songs of vintage and the glad voices of children, but had also in the gray of the morning echoed to

the tread of a brutal soldiery and witnessed the crucifixion. His quick eye had marked the misery which had been permitted in this world, and he had no doubt that a similar economy would prevail in the next. John Calvin and John Foster were both Christians, nominally of the same school; but, so far as the Divine character and government are concerned, they could hardly have subscribed to the same creed.

We do not mean to intimate that it is of no consequence what we believe, but simply that a difference of opinion on subjects beyond the range of knowledge may not only be honest, but even a constitutional necessity. Charles V. was right when he inferred that, if he could not make two clocks keep time together, it were folly in him to attempt to constrain his subjects — thirty millions of thinking men — to a cordial adoption of the same prescribed formula of faith.

So intimate is the relation between soul and body, that our theology almost always tastes of the cask from which it is drawn. Disease, especially if it disturb the normal action of the brain, is likely to modify essentially our creed. To say that Coleridge varied from the most liberal latitudinarianism to the strictest adherence to the "Thirty-nine Articles," somewhat according to the quality and quantity of the opium which he consumed, would not be an extravagant assertion.

But not only is the conception of the Supreme Being different in different persons; the future blessedness to which we aspire varies in character according to our views of the highest good. The poor washerwoman in Hyperion, weary and toil-worn, longed to die and go to heaven, that she might sit in a clean white apron and sing psalms all day long. Plato, when asked what would be the employment of heaven, immediately answered, "The study of geometry." To the one, heaven was a place of quiet rest; to the other, a field for thought and for unending progress.

Not only can no two persons, though of equally high religious character, adopt precisely the same creed; it is obvious, also, that no one person can be expected to entertain through a life of ordinary length the same views on any moral subject, especially on one so eminently speculative as that which concerns his spiritual being, its essence and its relations. It is

the order of nature to grow. "I could never," says Sir Thomas Browne, "divide myself from any man upon the difference of an opinion, or be angry with his judgment for not agreeing in that from which within a few days I might dissent myself." The thinking man outgrows his beliefs as he does his clothes. The swaddling-bands of infancy cannot encompass the stalwart loins of manhood.

> "Build thee more stately mansions, O my soul,
> As the swift seasons roll!
> Leave thy low-vaulted past!
> Let each new temple, nobler than the last,
> Shut thee from heaven with a dome more vast,
> Till thou at length art free,
> Leaving thine outgrown shell by life's unresting sea."

We know that there are numerous exceptions to this law of growth. There is a large class in society whom Sydney Smith calls the "sheep-walkers," — men who never deviate from the beaten track, who think as their fathers have thought since the flood, who recoil from a new idea as they would from guilt. These persons never disturb society and are never disturbed by it. Only those who have the intellectual vigor necessary to independent thought and fearless expression "turn the world upside down," and, like Paul and Silas, "trouble the people and the rulers of the city." It is among these alone, whose loyalty to truth and duty is stronger than their devotion to sect, that the dungeon, the rack, and the stake have, in all ages, found their victims. The humanizing influence of popular education and a more liberal intellectual culture have softened the asperities of religious persecution; yet even now any departure from the established belief may subject the venturesome wanderer to social discomfort and disabilities. Not a few good men have so identified religion with their own creed, that they look upon every dubious question, every uncanonical conviction, as an alarming approach to unpardonable heresy. The first buddings of thought they regard as incipient excrescences on the body of Christian faith, and woe betide the luckless wight whose spiritual growth should be found to exceed the knot on their measuring-line!

"Here," said a student to Casaubon, as they entered the old hall of the Sorbonne, "is a building in which men have disputed for more than four hundred years." "And," asked Casaubon, "*what has been settled?*" There is a mournful significance in the question of the old Genevan Professor. Four things, however, amid the chaos of conflicting opinions, we think are in a fair way to be settled. First, men fight most readily and with the most bitterness about those doctrines whose influence upon the life is the least. Secondly, persecution for opinion's sake is not only a crime, but a folly. When the Aurora Borealis can be put out by a fire-engine, then, and not till then, can a religious principle be extinguished by blood. Thirdly, the right claimed by Protestants of interpreting the Sacred Scriptures each one for himself, involving, as it does, not only the possibility, but the necessity of an honest difference of opinion, demands of us, as reasonable men, that we be intolerant of nothing so much as of intolerance. Fourthly, the religion of the heart is higher and better than the scientific creeds of the head, and he is not the best Christian who is the best reciter of formulas, but he whose life is most like that of our Great Exemplar. In aspiring to reach the lofty height of his virtue we shall resemble pilgrims climbing up different sides of the same mountain, who draw nearer at every step, not only to the sun-lit summit, but also to one another. Fallen men are to be saved now as eighteen hundred years ago, and here as in Palestine, not so much by the sharp subtilty of their logic as by the earnest beneficence of their lives.

ART. V. — 1. *Egyptian Chronicles, with a Harmony of Sacred and Egyptian Chronology, and an Appendix on Babylonian and Assyrian Antiquities.* By WILLIAM PALMER, M. A., Late Fellow of Magdalen College, Oxford. London: Longman, Green, Longman, and Roberts. pp. 1053.

2. *An Historical Survey of the Astronomy of the Ancients.* By the RIGHT HON. SIR GEORGE CORNEWALL LEWIS. London: Parker, Son, and Bourn. pp. 526.

THESE two works have this in common, that they attempt to establish ancient chronology upon the basis of astronomy, and that they greatly reduce the reputed chronology of the earlier historic nations, especially of the Egyptians, the Assyrians, and the Babylonians. We shall refer to the volume of Sir Cornewall Lewis only in its chronological bearings, and mainly with regard to the early history and chronology of the Egyptians. The English school of Egyptologists have generally favored the "short" chronology, as distinguished from that advocated by Lepsius, Brugsch, Bunsen, and other leading German Egyptologists. Thus, taking those two salient points, the accession of Menes and the time of Moses, Mr. Palmer, in his very elaborate and curious work, attempts to establish Egyptian chronology upon a definite basis by an astronomical analysis of the "old Egyptian Chronicle." This Chronicle comes to us through Syncellus, of the ninth century, who is supposed to have derived it from Africanus. Though its discovery was hailed by many as a new light upon chronology, it has of late been regarded as an invention of the third century, or even later. Boeckh assigns it to some Jew or Christian of the fifth century. Mr. Poole, in the Encyclopædia Britannica, speaks of it contemptuously as "an undoubted imposture." Bunsen, following Biot, treats it as of no critical value. Yet Syncellus cites it as "the oldest Egyptian document."

The Chronicle consists simply of a list of 30 dynasties, of 113 generations, to which it assigns the stupendous period of 36,525 years. Of this period, however, 30,000 years are assigned to the sun-god; and more than 4,000 years additional

to other gods and demigods. Then follows a series of human dynasties, 15 in number, comprising 76 generations, averaging $24\frac{3}{4}$ years each, and filling in all the modest period of 1,881 movable years. The Chronicle ends with the extinction of the native monarchy in 345 B. C., and this of course gives 2224 B. C. for the accession of Menes.

That this Chronicle is an artificial compilation representing 25 Sothic cycles, is agreed by leading Egyptologers, — the Sothic cycle being a period of 1,461 vague years. Mr. Palmer thinks that, by adopting the suggestion of Diodorus, that the Egyptians used *months* for years to swell their computations, he can reduce the whole period of the Chronicle within a reasonable term of centuries. He finds that the thirteen gods and eight demigods of the Chronicle answer closely to the generations of the Scriptural antediluvian and postdiluvian patriarchs in number, and that a break in the list marks the epoch of the Flood. He compares the Chronicle minutely with the lists of Manetho and Eratosthenes, with the statements of Greek authors in regard to the chronology of Egypt, and with the sacred chronology of Africanus, Eusebius, and others. His harmony of Sacred and Egyptian chronology places the era of Menes at 2224 B. C. and the Exodus at 1654 B. C., in the reign of Amunoph II. of the eighteenth dynasty. His calculations are intricate and curious; and when we consider that they were begun as a pastime to while away an attack of the gout and the ennui of boat-life upon the Nile, and were afterwards prosecuted for years as a mathematical problem, we know not whether most to admire the author's ingenuity in his antiphlogistic regimen, or his patience in his arithmetic. Some of his conjectures and assumptions, however, are quite arbitrary; and, with all his enthusiasm and diligence in exploring and analyzing authorities, he often reminds us of Locke's saying, that "men who are greatly learned, may yet be but little knowing."

Sir Cornewall Lewis exhibits a sublime contempt for the labors of Egyptologers, as well as for the authorities upon which they are wont to rely. Indeed, his work is conceived in the spirit of profoundest scepticism with regard to the

alleged antiquity of astronomical observations in Assyria and Egypt.

"All the extant evidence goes to prove that the scientific geometry of the Greeks was exclusively their own invention. It may be doubted whether any Chaldæan or Egyptian priest had a mind sufficiently trained in abstract reasoning to be able to follow the demonstrations of the properties of the conic sections invented by Apollonius." — p. 278.

With this avowed contempt for the priests, our author proceeds to say: —

"The historical information respecting Egyptian antiquity is represented to us as derived exclusively from the priests and from their sacred books, preserved in the archives of temples. Now the Egyptian priests had the character of an Oriental sacerdotal class, like the Chaldæans, the Magi, or the Brahmins. Their knowledge was suited to a country in which there was neither freedom of thought nor activity of mind; which produced nothing useful, and which contributed nothing to the progress of mankind; whose despotic masters employed all the surplus labor of the people in constructing pyramids and labyrinths, and other colossal works, destitute of any rational destination, and only intended to perpetuate their own memory.

"If the priests and their sacred books are not admitted to be trustworthy authorities upon Egyptian antiquity, the whole basis of our supposed knowledge fails. From them the information of Herodotus, Manetho, Eratosthenes, and Diodorus was equally derived. We learn, from the express testimony of Herodotus himself, that the priests not only gave him an oral account of their history, and answered questions which he put to them concerning the visit of Menelaus and Helen to Egypt, but also that they read to him the names of 330 kings from a book, and that they showed him the statues of a series of high-priests, in proof of the truth of their chronological statements. Manetho, as we learn from Josephus, himself announced that his Egyptian history was translated from sacred books. Eratosthenes derived his Egyptian chronology from the same source. Diodorus likewise professes to have obtained his information respecting ancient Egypt from authentic registers of the native priests; and, by the assistance of these memorials, to give more credible and trustworthy information than that to be found in Herodotus and other previous histories.

"Now, if the Egyptian priests had, in the time of Herodotus, been in possession of complete and authentic written records of their ancient history, it must be supposed that these records would be carefully preserved in the temple archives, and that they would be identical

with the records translated by Manetho and Eratosthenes, about two centuries afterwards, and consulted by Diodorus at the interval of another century and a half. But on comparing the accounts of the history and chronology given by these four writers, we find the utmost discrepancy between them." — pp. 341 – 343.

Our author makes some telling points as regards this discrepancy by measuring the differences between Manetho and Diodorus by other events. Thus, their dates for Menes differ from each other "by about the period from the era of the Olympiads, or of the foundation of Rome, to the birth of Christ; or from the Norman conquest of England to the reign of George the Third." He argues that the discordant schemes of Herodotus, Manetho, Eratosthenes, and Diodorus, professing to be derived from the same authentic source, cannot be reconciled by any legitimate methods of criticism, and that there is no satisfactory ground for preferring one to another. Much of the so-called history of Egypt he traces to the Greek mythology, instead of tracing the latter to Egypt. Other sections of this history he dismisses as "architectural legends" or imaginary lists of kings. The Manethonian lists are but "a royal phantasmagoria," — many of them of no more value than "an account of the succession of a breed of crocodiles or hippopotami in the Nile, or of a series of sacred apes in a temple, for the same period." Such wholesale scepticism is quite refreshing as a contrast to Bunsen's idolatry of Manetho. Sir George has little respect for the genius and labors of the late Baron, whom he styles "the principal manipulator of the ancient Egyptian chronology," whose operations "resemble the manipulation of the balance-sheet of an insolvent company by a dexterous accountant (who, by transfers of capital to income, by the suppression or transposition of items, and by the alteration of bad into good debts, can convert a deficiency into a surplus) rather than the conjectures of a speculative historian, — such as Niebuhr, — who undertakes to transmute legend into history." Bunsen's work on Egypt is, with Sir George, "a book of metamorphoses. By his method, Agamemnon or Achilles might be identified with Alexander the Great, Pompey might be identified with Cæsar, and Hannibal with Scipio. Such identifications as that of William the Con-

queror with William of Orange, or of St. Louis with Louis XVI., would be so obvious and natural as not to require formal proof, and would be disposed of in a parenthesis."

This clever satire culminates in the following paragraph: —

"There is something attractive to a writer in this discretionary power of dealing with the history of bygone ages. His imagination is captivated with the faculty of creating or annihilating dynasties by a stroke of his magic pen; he becomes, in the language of the ancient astrologers, a 'chronocrator.' He likewise appears to possess a sort of reflex second-sight, by which he is able to look back into the unknown past, and to discern images invisible to ordinary eyes. He can invoke a great mediæval period of antiquity, which has hitherto been wrapt in oblivion. If his pretensions to these gifts are admitted, and if he succeeds in imposing on the credulity of his readers by his familiar handling of subjects remote from ordinary studies, he is regarded as an historical seer, elevated far above those obscure chroniclers who occupy themselves with digesting the occurrences of well-attested history." — p. 374.

The satire is vindicated in part by the treatment accorded to Sesostris, "the great name of Egyptian antiquity," by Bunsen and Lepsius respectively; Manetho assigning him to 3320 B. C., and Bunsen ascribing his deeds to a much earlier date, while Lepsius brings him down to 1326 B. C.

"We therefore see that the two leading Egyptologists, Bunsen and Lepsius, differing in other respects, agree in thinking that Sesostris is not Sesostris. The notice appended to his name in Manetho, which identifies him with the Sesostris of Herodotus, Diodorus, and other Greek writers, is regarded by Lepsius as spurious. But here their agreement stops. One assigns Sesostris to what is called the Old, the other to what is called the New Empire, separating his respective dates by an interval of 3,793 years. What should we think, if a new school of writers on the history of France, entitling themselves Francologists, were to arise, in which one of the leading critics were to deny that Louis XIV. lived in the seventeenth century, and were to identify him with Hercules, or Romulus, or Cyrus, or Alexander the Great, or Cæsar, or Charlemagne; while another leading critic of the same school, agreeing in the rejection of the received hypothesis as to his being the successor of Louis XIII., were to identify him with Napoleon I. and Louis Napoleon?" — p. 370.

If Bunsen could speak for himself, we should certainly have

an octavo of hieroglyphics, chronological tables, Greek citations, and philosophico-historical theses, with abundant and most indignant rhetoric, in reply to this contemptuous dismissal of his life-long and arduous labors. With all his faults of dogmatism, exaggeration, and self-assurance, and with a superficialness in his assumption of universal learning which discredited his actual knowledge, Bunsen was a resolute and patient investigator in Egyptology, and his copious materials may yet be edited with better judgment and with sounder historical results. But Sir Cornewall Lewis has no faith even in the materials for Egyptian history found in the hieroglyphics. He says: —

"The Egyptologists do not indeed pretend that any great amount of historical knowledge has been hitherto derived from hieroglyphic inscriptions. They profess to have read certain names of kings which they identify variously with names in Manetho's lists; but they do not assert that the inscriptions furnish either a coherent chronology, or events in the reigns of the kings. Brugsch, in his work on the primeval history of Egypt, lays it down that the Egyptians had no era, that they denoted events only by the year of the king's reign, and that this mode of reckoning affords no materials for a chronological system. The meagreness of the historical information which Bunsen and Brugsch profess to have extracted from the hieroglyphical inscriptions, must be apparent to every reader. Bunsen indeed speaks of ancient Egypt as the monumental nation; but its monuments are colossal buildings, not intelligible inscriptions containing historical records. If the hieroglyphical writings which have been interpreted have been interpreted correctly, and if they may be taken as a sample of the rest, we may be satisfied that there is nothing worth knowing. The work of Sir Gardner Wilkinson upon Ancient Egypt, which speaks to the eye, is far more instructive than the efforts to address the mind through the restored language of the Egyptians. It may be feared that the future discoveries of the Egyptologists will be attended with results as worthless and as uncertain as those which have hitherto attended their ill-requited and barren labors. The publication of an inedited Greek scholiast or grammarian might be expected to yield more fruit to literature than the vague phrases of Oriental adulation or mystical devotion which are propounded to us as versions of hieroglyphic inscriptions." — pp. 395, 396.

Now it must not be forgotten that the readings of Egyp-

tian monuments after the time of Solomon synchronize with and verify the references of the Hebrew Scriptures to Egyptian history; that, for example, on the walls of Karnak is a pictorial record of the invasion of the land of Judah by Sheshonk, the Shishak of the Second Book of Chronicles; that this is certified not only by the marked Jewish features of the captives, but also by the hieroglyphic equivalents for such places as Megiddo, Bethshan, Hebron, and the valley of Hinnom. It is too late to question whether the key to the hieroglyphics has yet been discovered, or to speak of investigations in this department as "ill-requited and barren." Egyptian chronology is now in as confused a state as was geology forty years ago; and there is the same tendency to wild and extravagant theorizing in the one that so long marked the other. But the credibility of the facts observed should not be disparaged by the fanciful constructions put upon those facts. The true adjustment of a scheme of chronology both to Egyptian monuments and to the sacred record will eventually be discovered. Meantime the friends of learning and the friends of the Bible should co-operate for this end, without discouragement and without distrust. It is impossible in the present stage of Egyptology to determine with accuracy under what Pharaoh the Exodus took place. Seyffarth and Max Uhlemann fix the date of the Exodus at 1867 B. C., and the birth of Moses in 1947 B. C., which is 376 years earlier than the common Bible Chronology of Usher, and 219 years earlier than the date assigned by Hales from the Septuagint; while the difference between this school and that of Bunsen, Brugsch, and Lepsius is more than 500 years. But this diversity is somewhat reduced by another mode of calculation; for Seyffarth and Uhlemann make about 350 years between Amosis, whom they regard as the Pharaoh of the Exodus, and the second Sethos, whom Bunsen and Lepsius identify as that monarch; and the latter school separate Amosis from Sethos II. by about the same period. This, therefore, is the true range of divergence between the extreme schools of Egyptologists, as to the relation of Moses and the Exodus to recognized Egyptian dynasties. Brugsch argues, with much acumen and confidence, that the Exodus took place in the latter part of the reign of

Minephthath, the fourth king of the nineteenth dynasty, the immediate predecessor of Sethos II.; and he fixes its date at 1327–1321 B. C. Further research may produce direct or inferential evidence from the monuments to establish one or the other of these divergent chronological schemes. The question is really narrowed down to two schools, the one placing the era of Moses in the earlier part of the eighteenth dynasty, the other in the middle of the nineteenth. But the historical verity of the Biblical era of Moses does not depend upon the scale of chronology by which it is measured. All Egyptologists agree in accepting the Exodus as an historical fact. "History," says Bunsen, "was born in that night when Moses with the law of God moral and spiritual in his heart went forth from the land of Egypt." All that is narrated in the Book of Exodus may be historically true, both as to the matter of the record and the succession of events, whether Amosis, Pthahmen, Menephthath, or Sethos II. was on the throne at the time of the Exodus.

ART. VI. — 1. *L'Année Littéraire et Dramatique, ou Revue Annuelle des Principales Productions de la Littérature Française, &c., &c.* Par G. VAPEREAU. Quatrième Année. Paris: Hachette et C^ie^. 12mo. 1862.

2. *Revue de l'Année Religieuse, Philosophique et Littéraire, &c.* (Published under the Direction of M. F. DUILHÉ DE SAINT-PROJET.) Paris: Lecoffre et C^ie^.

THE two works that head this article complete each other, and together give yearly a fair exposition of the mental productiveness of France. The first, more general, and somewhat complaisant in its notices of new productions, often devotes space in its pages to works of but slight literary merit, provided they have occupied the public mind. The second, more exclusive, is rather theological, presenting the Catholic element of France as more influential in letters than is generally supposed. It would be too much to assert that the

perusal of these two annuals would repay the general reader. They are of value, however, as convenient books of reference, giving more than the mere titles of contemporary literature. Without attaching ourselves to their views, we shall examine a few of the principal productions of the past year.

We begin with the drama. The influence of the theatre is such in France, that an eminent philologist, M. Genin, does not hesitate to ascribe many of the peculiarities of intonation and pronunciation in the capital to the emphatic declamation of actors while reciting the Alexandrine verses of Racine and Corneille. This may be saying too much, though it cannot be doubted that in France, more than elsewhere, the stage, if not always a leader of public opinion, yet reflects it so closely that, more than any other species of literary composition, the plays annually produced in Paris alone would be sufficient to enable a reader to form an estimate of what has agitated the public during the year. A strict censorship forbidding all political allusions effectually prevents the expression of thought in one direction. Yet even such spectacle-plays as *Les Massacres de Syrie* and *La Prise de Pékin*, tell their own tale, and rumor attaches to the composition of these pieces, so well adapted to inflame the passions of the multitude, the name of one closely attached to the person of the Emperor, that of M. Mocquard, his private secretary.

If we look at the long list of plays presented during the year 1861, we find little that need detain us. *Les Effrontés*, though by Emile Augier, possesses no literary merit. It deservedly called forth the censure of the daily press, partly on account of the character of Giboyer, a debased journalist, who is made the representative of editorial honesty, partly on account of the subject itself, more fit to be discussed before a court of justice than to be made a theme for art. Better in tone though weak in execution is the play written for Madame Ristori by the academician Legouvé, *Beatrix, ou la Madone de l'Art*, a mere adaptation of the novel of the same name published some years ago. Passing by *Les Frelons* by Ernest Capendu, and *La Frileuse*, a posthumous work of Eugene Scribe, we meet with *Nos Intimes*, the chief production of Victorien Sardou, who, in his "strong-minded women,"

amused the Parisian public at the expense of what he was pleased to call a picture of American manners.

Has the mantle of Scribe then fallen upon the author of *Nos Intimes*, as the feuilletonists were loud in proclaiming in November last? We fear not, though that were no great honor, but only a great profit. Certain it is, however, that M. Sardou has taken his rank among the playwrights "who make it pay" (*qui font recette*). In this he may resemble Scribe, though in little else. Nor can it be much regretted if that agreeable and prolific author finds no successor. With all his graceful facility of composition, he left French comedy no better than he found it. His readers doubtless would feel reluctant to acknowledge how many of his three hundred and fifty pieces they perused for nothing more than the mere charm of the plot, heightened by the airiness of the dialogue; for he always interests, however little he may teach. Now the very qualities that insured the success of Scribe are wanting in Sardou, who thus far has shown none of the dramatic *savoir-faire* of the author of the *Mariage d'Argent*.

In the absence of anything of real value, we are glad to turn to a comedy in verse, of which the first edition bears the date 1861, though it was represented in the last days of 1860. *L'Oncle Million* is by Louis Bouilhet, a young poet who, about six years ago, made his *début* at the Odeon by *Madame de Montarcy*. It is a lively picture of one side of French life. The author, abandoning for a while his lyric vein, transports us to one of those provincial towns where national peculiarities are the most strongly marked, among a class so little known by foreigners, the *bourgeoisie*, a class in which the elements of social comedy are not wanting.

The plot is simple. Monsieur Rousset, a worthy merchant in some small town of France, has grown rich, and destines his son to be his successor in his business. The youth returns from Paris, when his studies are completed, with far different views. He is possessed by the "demon of poesy," to the great indignation of M. Rousset, who orders him forthwith to renounce all thoughts but those of trade. "Verses!" he exclaims, "write verses! Morbleu, who talks in verse? A pretty invention! Do I make any? Imagination! . . .

Have I any? And besides, one point which I must clear up, — have you even the reputation necessary for success? could you even make a tragedy?" But remonstrances are of no avail. Leon will not give up his aspirations nor surrender to such reasoning. He falters, however, when about to lose the hand of Alice, whose mother, a harsh, severe, and haughty woman, will bestow her daughter only on one who follows the beaten track. But the rich uncle, Uncle Million, favors the lovers, "giving the parents more trouble than ten nephews together." Through him the plots of an old scheming notary are baffled, and the insincerity of the suitor preferred by the mother of Alice is exposed. He even succeeds, in the end, in converting M. Rousset to somewhat different views in regard to his son's vocation. Driven from home by his father, Leon has published a volume under the uncle's protection. The latter, in urging the work upon M. Rousset, employs a novel method to make him appreciate its beauties. He reads the titles: "The Farm-house; — I like the title, it reminds me of my rich farm in Beauce. The Mill; — my heart beats as I think of my old mill, for Farm and Mill are both to be given to Alice on the day of her marriage with Leon." And so through the poems, until the old man exclaims, "Go on, — a good book, and full of meaning. I like verse, when it conveys such thoughts."

Such is the main idea of what we think the best comedy that has been presented in France for years. It is fresh in thought and of a healthy tone throughout. Though the action is slow in the fourth act, the interest is kept alive by a skilful development of character. M. Rousset is admirably drawn, while the selfishness of the country notary and the unsuccessful policy of the mother of Alice are well contrasted with the honest goodness of Uncle Million, the genial spirit of the piece.

Of novels there is the usual supply. The best we have read is *La Famille de Germandre*, by George Sand, noticed in our last number.

If we turn to poetic literature, we feel relieved in finding the eternal self-contemplation of the most numerous class of modern French poets replaced by such works as the *Poème*

des Champs, by M. Ch. Calemard de Lafayette, and the *Epîtres Rustiques*, by M. Joseph Autran. The first is the production of a writer who has handled in prose the subject he now treats in verse. The fields have been a theme of other than poetic imaginings for him, as his writings on practical agriculture can testify. He sets to work in earnest, though with an occasional touch of bathos, and sometimes of declamation. We prefer the work of Autran, who has given proof of a great versatility of talent. His first productions — *Poèmes de la Mer* — are entirely lyrical, *La Fille d'Eschyle* is dramatic, *Milianah* an epic episode; and for these *Epîtres Rustiques* he had prepared us by *Le Laboureurs* and *La Vie Rurale*. These epistles are all their title indicates. Addressed to the inhabitants of large cities, they gain in force by the constant parallel which the writer draws between town and country. His endeavor is ever

"Montrer partout le champ plus fécond que la ville."

It is Paris that he takes to show the contrast, and his words have all the force of actualities; for it is the Paris of Napoleon III. that he describes, — Paris in its transition state, a city which has increased in population 500,000 in ten years, and is becoming, in every aspect, the most sumptuous capital in the world.

The author of the Rural Epistles is from Marseilles, with an evident predilection for the South of France. He is a Marseillais wherever he can be, as Brizax is a Breton, as Jasmin is a Gascon. His "Voyage to Arles" shows all the force of local patriotism, if it may be so called. Several poems are addressed to Jules Simon, a just tribute to the philanthropic endeavors of the author of *L'Ouvrière*.

The premature death of Henry Murger, the poet of La Bohème, gave rise to a collected edition of his poems, *Les Nuits d'Hiver*. This is a collection of detached pieces, songs, and small poems, all marked by grace and ease. Biographical and literary notices by Jules Janin, Theophile Gautier, and others, are prefixed. Those who remember the *Scènes de la Vie de Bohème* will have the best recollection of Murger. As a painter of the vicissitudes, joys, and sorrows of that eccentric existence, he had no equal. Now that the "Latin Quarter"

of Paris is almost a myth, and is fast disappearing to make room for the broad boulevards of Sebastopol and Saint-Germain, the wit and gay scenes interspersed in Murger alone remain as mementos of what was once La Bohème.

The general tone of the "Winter Nights" is sad. Murger, who was so gay in his prose, falls in his verse into that morbid melancholy that has been a mere fashion since the noisy, though empty, sentimentalism of Chateaubriand. Still the poems of the *Nuits d'Hiver* are full of meaning, as presenting the reverse of the medal, one side of which only had been held up by the writer in his prose-works. The "Requiem of Love" and "The Testament" are of this class. A short series, headed *Chants Rustiques*, concludes the volume. These were written at Fontainebleau, and are among the best in the collection. Such poems as "The Poacher's Dog" exhibit a nicety of observation and a poetic appreciation of details which, with a different life-education, would have placed Henri Murger among the foremost of French writers.

We cannot dwell upon the historical publications. We would mention, however, *La Vie politique de Royer-Collard, ses Discours et ses Écrits*, by Barante.

M. André de Bellecombe has undertaken to write a universal history on a vast plan. Seven volumes have already appeared. The work will fall under three divisions, a universal chronology, a general political, religious, and military history, and a scientific, literary, and artistic history. The general history alone has now reached to the reign of Constantine.

A work of the utmost importance for the student of French literature is the *Histoire de la Littérature Française*, by Désiré Nisard. It is now completed, nearly twenty years having elapsed between the publication of the first volume and that of the fourth and last. From its size and the ability with which it is written, it might be imagined that the work of M. Nisard was the most complete literary history of France that we possess. But this is far from being the case. Even such a simple manual as the excellent *Histoire de la Littérature Française* by Demogeot, is a better guide through the various periods of French letters. Wherein, then, lies the importance of the work of M. Nisard? Simply in this, that it is the ablest

and probably the last manifesto of a school of writers that is fast disappearing in France.

"Nisard represents," says M. Vapereau, in the work that stands at the head of this article, — "Nisard represents, in letters and in his university teachings, the fixedness, the immutability, of the classic doctrines. For him, literary France has but one period, — the seventeenth century, the great seventeenth century, as he is pleased to say. This century is represented by three or four names, whether for prose or for poetry. These three or four names, in their turn, are represented by three or four masterpieces, which are not only the honor of French letters, but the glorious patrimony of humanity. The supremacy of the French mind in the modern world, the supremacy of the language of the seventeenth century as the expression of that mind, the supremacy of three or four immortal poets and prose-writers of the seventeenth century, — such are the principal points of the solemn and somewhat monotonous literary *Credo* of M. Nisard."

Thus far we quote from the *Année Littéraire*, though we fear that its author has criticised somewhat harshly a work which, however little it may satisfy the wants of the present, does all that could be expected from it, coming as it does from one whose whole life has been a protest against the new doctrines in literature.

The class that will admit of no innovation, that cannot see beyond Corneille and Racine and Boileau, is becoming smaller and smaller every day. Before the final disappearance of the upholders of the so-called classic style, it is well that they should leave behind them, in a collected form, their judgment upon the few writers whom alone they think worthy of remembrance. M. Nisard has undertaken this task for the whole school. With undoubted talent and a complete mastery of his subject, he has given the fullest expression to theories which, though they enslaved France, and through France a great portion of Europe, for so long a time, are now happily cast aside, to be studied only as things of the past.

Simplicity is not a characteristic of Nisard, nor modesty when speaking of the French intellect. "L'esprit français c'est l'esprit pratique par excellence," he tells us; and again, "L'esprit français c'est l'idéal de la raison humaine." "The man of genius in France is he that can utter what the whole

nation knows; . . . . . he is but the intelligent echo of the crowd." That French poetry lacks the reverie of the Northern, and the imaginative glow of the Southern countries, he does not deny. But even this seems to be no great loss in his eyes; so much does the "reason of Descartes and Pascal" outvalue the highest gifts of the poet. As to the method of M. Nisard, it is not such as to satisfy a reader who cares for more than merely the royal names of the royal ages. There was a time when the history of France was thought to consist of little more than the biographies of kings from the apocryphal Pharamond down to the reigning sovereign. Our author's system does not go beyond this. He shows his respect for the golden age of classicism, by entitling the chapters that follow *Histoire des Pertes*. As to the nineteenth century, he has wisely refrained from entering upon it, devoting to it only one concluding chapter, in which praise is lavishly bestowed upon his contemporaries in a mass. Even Victor Hugo, whose style, it is well known, M. Nisard abhors, receives three whole paragraphs of laudation. With this exception, our author follows in the footsteps of La Harpe, and it is only when speaking of *Les Grands Maîtres* that he "would rather be taxed with superstition than with indifference."

But we should greatly err, were we to present only this uninviting side of M. Nisard's work. As a critic, he stands far higher than La Harpe and all his followers; he takes his place by the side of Villemain and Sainte-Beuve. If we admit his theory, the execution leaves little or nothing to be desired. We know of no criticism superior to his pages upon such writers as Racine and Boileau. Of the classic period he speaks with enlightened admiration. The ideal of excellence by which he seeks to judge allows him to praise only within certain limits, but at least he is just in measuring all alike. Do not ask him for a poetic exhibition of an author's beauties. This is the very fault he condemns in modern criticism. "The talent that judges should not vie in expression with the talent that invents." Too great originality is little less than a blemish in one who recurs so often to "general truths," — "the language of everybody," — "the rules of good sense"; yet is he not devoid of appreciation for the efforts of his contempo-

raries. After having judged the productions of the eighteenth century, he concludes with something of satire in the last clause: —

"In the nineteenth century the poet speaks in his own name of all that he has felt in the different periods of his life; — of his pains and pleasures, hopes and regrets, the impressions left on him by great events, and the beauties of nature, love, and enthusiasm, the temptations of doubt, dreamings, and disenchantments, — all that has passed through the soul of René, — René, the type of personal poetry, the eldest of that noble family that continues him, not by imitation, but because melancholy is the natural state of the master-minds of the nineteenth century."

ART. VII. — *Poems.* By MATTHEW ARNOLD. A New and Complete Edition. Boston: Ticknor and Fields. 1856. 18mo. pp. 336.

THIS volume of freighted verse — precious with costly experience, breathing deep passion and lofty wisdom, and finished in forms of severe beauty — has been six years before the American public without attracting extensive notice. But if the rare poems which compose its contents have not won a large recognition from miscellaneous readers, they have secured profound, admiring, and grateful attention from a select circle of the best judges of literary merit. Here and there, since

> "It is the law of bush and stone,
> That each can only take his own,"

the more marked pieces of this collection have found their way to persons of a deep nature and a refined culture, who know them by heart, and who never tire of recalling and repeating the rich, pathetic lines.

Matthew Arnold had the happy fortune to have the great and good Thomas Arnold, of Rugby School, for his father; and, as we gather his character from his published works, he is not unworthy of parentage so noble. In connection with the scholarly, consecrated, generous, manly spirit expressed

in the writings of both, we think of the Ode in which Pindar, celebrating the glory of Hippocleas, victor at the Pythian Games, praises him because he has emulated his deceased father, Phricias, who before him was a conqueror in the Olympic Stadium. The Professor of Poetry at Oxford University shows, in the elaborate Prefaces to the present volume, in his Tragedy of Merope, and in his three Oxford Lectures on the Translation of Homer, such remarkable critical powers, such thorough instruction in his department, such conscientious care in statement, and such vigorous and copious command of balanced thought, as give real value and importance to what he writes. His best poems have a certain powerful simplicity of form, a crystal clearness of phrase, an intensity of emotion, associated with and governed by comprehensive reflection, a pervading air of originality, and a direct honesty of aim and method, which are as interesting as they are rare. His poetry betrays a profound sympathy with man in its tone, and with nature in its imagery. As we read it, we seem ever to feel the land and sea under it, the freshness of the breeze and the pangs of humanity in it, and the blue sky bending over it. "The Strayed Reveller," "The Church of Brou," "The Scholar Gypsy," "Self-Dependence," "The Future," "The Sick King in Bokhara," "Memorial Verses," "Resignation," "To a Gypsy Child by the Sea-shore," "Obermann," "The Buried Life," "The Youth of Nature," "The Youth of Man," "A Summer Night," are worthy a high place among the best products of the English Muse in any age. The weight of mind, the earnestness of character, the sincerity and strength of feeling, the purity and power of expression, which they show to belong to their author, must rank him in the class of great poets, even should he never print a line more. We have that respect for his genius which makes us always eager to read whatever he publishes, and that confidence in his steady growth with years, which will lead us to watch his future career in authorship with deep interest.

Instead of reviewing the Poems of Mr. Arnold with the particularity they deserve, we propose to discuss with our readers the origin and uses of poetical literature.

Every emotion or thought, on reaching a certain pitch of intensity, seeks a vent through some channel of expression. The most adequate vent is an *action*, aiming to adjust the organism with the exigency. Thus, hunger expresses itself in the appropriation of food; hatred, in the infliction of violence; terror, in flight. When the inner impulse is not strong enough to embody itself in an act of fruition, or is kept from such an act by baffling circumstances, it may ex pend itself in gesture, which is an imitative or substitutional representation of the real act. For instance, a hater restrained from smiting his enemy may scowl, set his teeth, make a lunge into empty space, and thus work off in mimetic gestures the nervous energy kept from its legitimate discharge in an actual blow. Another vent for inward experience is language. Human emotions or thoughts may then be expressed, first, in fulfilling deeds; secondly, in symbolic gestures; or, thirdly, in verbal signs, oral or written.

The fine arts are modes of language, whose aim is to eternalize the experience of man, — the painter, sculptor, musician, respectively employing the resources of color, form, and sound to express human feelings and ideas. The literary artist seeks the same end by means of *words*, the most complete instrumentality given to any of the arts, the breathing organ of thought. The other arts can only hint thoughts; but words utter them as articulate coins immediately stamped and dropped from the mint of the mind. No brush, chisel, or lute can directly impart such ideas and emotions, so laden with meaning and pathos, as are instantaneously conveyed by the simple *words* friendship, love, home, farewell, mother, eternity, God. The author, therefore, is the most mightily equipped of all those artists whose mission it is, by primarily expressing, secondarily to rekindle and nourish the experience of the human soul.

A language, in order to express one's emotions and thoughts in signs which his fellows can recognize, is a necessity for man as a social being. Else he were destitute of sympathy, shut up in a hopeless and eternal solitude. Provision is made for this necessity in the audible reactions of the mind through the vocal organs. As soon as visible equivalents are

invented for these audible symbols of experience, literature commences. Literature is the visibly registered experience of man, and its birth is provided for in the fundamental necessity of his social relations, and in the primitive structure of his individual constitution. Poetry is a peculiar department within the general province of literature. The characteristics which distinguish poetic from other literary products are important. Yet few persons, we imagine, if called on, would be able to define them with accuracy and clearness. Let us make the attempt.

For our present purpose, all literature may be arranged under four titles, — science, history, philosophy, poetry. Science perceives and classifies objects, relations, and changes as they really are. History collects and records occurrences as they actually took place. Philosophy inquires into the causes and laws of things as they operate in the real order of nature, and endeavors to construct a coherent theory of what appears. Scientific, historic, and philosophic literature, then, seek to give verbal registry to the actual material and life of the world, as they are in themselves and in their causes, without abatement or addition. But poetry is creation, the building of literary fabrics out of matter at least partially fictitious. With the objects and events embodied in its descriptions, poetry mixes the energies and the colors of the mind. The scientific man sets forth the cold form of an actual object; the poet, Pygmalion-like, transfuses the dead marble with a soul. The historian shapes the stuff of his narrative into the dry likeness of truth; the poet makes it move and glow. The philosopher, gray "speculation in those eyes which he does glare with," gropes in meditation, with tentative hypotheses, to grasp the dynamic determinations of motive and end between which all things proceed; the poet, careless altogether of the spectral domain of metaphysics, embraces the living appearances of things as they approach, and sheds a transfiguring radiance and warmth over them from his own beholding emotion. History looks for the coexistences and sequences of phenomena; science, for the connections of phenomena; philosophy, for the causes of phenomena; while poetry, in its purity, is itself the spon-

taneous producer of phenomena. History describes, science groups, philosophy explains, poetry creates.

In a word, the matter-of-fact man portrays a thing as it is in itself, so far as his impoverishing vision sees it; the poet portrays it as it appears in the excited mind, with magnifying enrichments of hue, proportion, and feeling. We once saw the full moon rise out of the ocean, and hang, for a moment, broadly poised on the edge of the dark waste of waters, when suddenly a ship, with sails all spread, far out at sea, passed solemnly across it, seeming, as it passed, a perfect picture stamped upon the gleaming disk. So poetry sets its lucid and beautifying mirror behind the objects it exhibits, lending to them a distinctness and a glory not their own. Other forms of literature aim to reflect the universe as it lies in the simple, white light of truth; poetry shows it to us through the many-colored prism of the imagination.

When the reactions of our minds are in equilibrium with the actions of objects and events, if any literary products result, they will be historic; that is, statements of experience in accordance with the facts of the case. When the reactions are excessive, the exuberance, or fictitious matter furnished by the mind, joined with the outward truth, forms a poetic product. The overflow of thought and feeling, which finds nothing external to react upon, must create something. The surplus mental energy, if nature furnishes no mould, will harden in its own shape, will constitute an original product, will forcibly print its die on whatever matter is first offered to it. Byron says, "Poesy is *to create from over-feeling* good or ill." But absolute creation is the prerogative of God alone. Accordingly, in the instances of its superabundant reactions there are two devices to which the poetic mind has recourse to dispose of its unappropriated energy. Since it cannot strictly create new things, it virtually does this by filling inanimate things with the spirit of life. This is the great characteristic of the mind overcharged with spiritual force, whether love, faith, or terror. The enthusiastic lover transfuses all nature with the presence of his beloved. The intensely believing fantasy of the Greek saw the landscape alive with Dryads, Naiads, Oreads. The murderer starts at

the rustle of a leaf, sees the ghost of his victim shaking his gory locks at him, shudders at voices in the air. The brain, oppressed and tingling with its deranged psychical equilibrium, discharges its profuse and uneasy batteries into whatever objects are brought into relation with it, and thus makes them participate in its own state. This is the poetic process, in distinction from the scientific, philosophic, or historic. Inadequate to pure creation, as a substitute it represents lifeless materials in vivified and conscious forms.

The other device to which the poetic spirit has recourse is *association*, making objects and events emblematic of something beyond themselves. Science dissects things, groups them by themselves as dry facts, and presents them in detached isolation; poetry collects and fuses things, weaves over them a vascular web of emotional relationship, and presents them in mysterious union, each wearing a vague fringe of beauty, and all swathed in a trailing cloud of meaning beyond what is expressed. This characteristic goes to the inmost root of the distinction between science and poetry, namely, that while in the statement of the former each fact stands distinct and self-sufficing, in that of the latter it is robed in a cloudy halo of emblematic association and suggestion. Notice the following instance. A woman opens a book, finds a withered leaf in it, and sheds tears. That is an historic series of facts. Now see how the poet, by his statement of these facts, makes them breathe with life, and carry in their emblematic background and margin a whole story of experience not stated. "I have an old aunt. She has an old book, in which there is pressed an old leaf plucked by hands long since withered. Turning the pages of the old book one day, when the old aunt sees that faded leaf, what ails her that she weeps so violently?"

The poet sees and feels so profoundly and widely, the sensitive and tenacious tentacles of his imagination are so numerous and so far-reaching, that, when any earnest experience goes forth, it carries symbolic meanings, tearing off and bearing along with itself fringes of association that interpenetrate mechanical forms with spirit, and load insignificant facts with eternal truth and awful prophecy. Each trite object stands for something besides itself, and bears a burden of admonish-

ing suggestion to pierce the soul. Thus Jones Very, contemplating that most mechanical and prosaic thing, a railroad, and seeing how it marches straight on its course, lowering down, lifting up, thrusting aside, whatever would divert or impede it, in a lofty mood of inspiration, addresses it in these electrifying lines : —

> " Thou great proclaimer to the outward eye
> Of what the spirit too would seek to tell,
> Onward thou go'st, appointed from on high,
> The other warnings of the Lord to swell.
> Thou art the voice of one that through the world
> Proclaims, in startling tones, 'Prepare the way!'
> The lofty mountain from its seat is hurled,
> The flinty rocks thine onward march obey, —
> The valleys, lifted from their lowly bed,
> O'ertop the hills that on them frowned before ;
> Thou passest where the living seldom tread,
> Through forests dark where tides beneath thee roar,
> And bid'st man's dwelling from thy track remove,
> And wouldst with warning voice his crooked paths reprove ! "

In this marvellous instance we see the creative spirit of poetry converting even a railroad into a living and flaming prophet of God.

The two peculiarities that fundamentally distinguish poetic verse from scientific prose are rhythm and metaphor. The original nature and function of these chief elements of poetry must be illustrated, for an accurate understanding of the subject we have in hand. Rhythm is a natural product of our organization ; metaphor is an instinctive artifice. Both are natural results of mental excitement and richness, and from their union poetry is born. Let us see if these statements cannot be made clear.

All the functions of our being are sustained by the assimilation and consumption of matter and force. The performance of any act implies the accumulation and expenditure of the power by which it is performed. Now all these movements of nutrition and waste, as the laws of physiology demonstrate, are intermittent and measured, — work not in continuous flow, but in pulses. When the nervous force, expended in gestures, is so profuse as to secure a regularly recurring discharge, the

man, as we see among savage tribes, breaks into measured movements, and the dance is born. Dancing, music, and poetry, under prepared conditions, are equally products of overstimulus. The origin of metrical utterance is, that in such instances the excitement expressed in words is so profound that it sweeps in the rhythmic bases and processes of the organism. Our life, both physical and spiritual, consists of time-regulated deposits of nutrition and discharges of energy. When the verbal utterance catches up or gears into this metrical movement, we have *verse*, which is distinguished from *prose* by its regularity of accentuation. Then pulse after pulse of mind-force beats in parallelisms and rhymes, as rocket after rocket is flung from the successive explosions of the mortar. This principle pervades nature : —

> " For the world was built in order,
> And the atoms march in tune ;
> Rhyme the pipe, and Time the warder,
> Cannot forget the sun, the moon.
> Come, lift thine eyes to lofty rhymes,
> Of things with things, of times with times,
> Primal chimes of light and shade,
> Of sound and echo, man and maid.
> Thou canst not wave thy staff in air,
> Or dip thy paddle in the lake,
> But it carves the bow of beauty there,
> And the ripples in rhymes the oar forsake."

The sentiment of the metre is simply the measure of the inner movements of passion. We recognize the light " trochaic run of eagerness," the " sharp iambic stroke of invective," the " slow molossic tread of grief," the resistless anapestic onset of martial valor, the dull spondaic drag of solemnity or depression. The tendency to metrical utterance is perceptible, even in prose, in proportion to the degree of excitement. Oratory always grows lyrical as it grows impassioned and majestic ; the blows of utterance beat time to the mighty throbs of the aroused and upheaving heart. Verse economizes the mental force required to follow a train of thought or emotion, by allowing it regular rests. An intermitted sound can be attended to without uneasiness much longer than a continuous one. Every person knows the fa-

tiguing effect of droning monotony on one extreme, and of spasmodic efforts on the other, and the avoidance of exhaustion secured by regularity of exertion and rest. Thus the blacksmith swings his sledge all day, the muscles regaining in each interval what they spent in the previous blow. Thus a march is incomparably less tiresome than a walk, and a man can go much farther keeping locked step with the thunder-tread of an army than he can in an irregular straggle. The recurrent succession of mental pausing and grasping, the looking for and leaning on the measured intervals and rhymes, sustain attention by regularly relieving it, and give to poetic composition that intensity of emphasis which prose vainly strives to reach. For instance, how much more effective is the sentiment, "There is no better time for a man to die, than when he falls a sacrifice for the good of humanity," when put into poetry thus: —

> "Or on the gallows high,
> Or in the battle's van,
> Man's noblest time to die
> Is when he dies for man!"

The other leading element of poetry, besides rhythm, is metaphor. Sift the origin, nature, and use of metaphoric language to the bottom, and you will find it to be a spontaneous device of the mind to give expression to its copious excitement, when the immediate objects of its experience do not of themselves furnish a sufficient vent, by associating with those objects, in a sort of living union, such other stimulative objects as can be brought into imaginative relation with them. For instance, a man of sensitive nature, seeing a solitary cloud floating, in the height of the sky, below the stars, and unable to express in a literal description of the fact all the emotion engendered in him by the scene, says, "One snowy cloud hangs like an avalanche of frozen light on the peak of Night's blue Alp." He associates and identifies with the naked matter of fact a group of other beautiful and sublime objects, and by means of the whole gigantic and gorgeous mass of imagery he pours out his full heart. Thus whenever the direct objects of the soul's experience do not afford an adequate stimulus and outlet for its thought and

fervor, the imagination intuitively reaches abroad, and grasps and fuses together whatever facts or phenomena have before been the fullest and freest channels of its emotions. Every object is then related with others sublimer than itself, every word is arrayed in a penumbra of symbolism, and so the profusion of mental force escapes. Byron, describing an innocent maiden of the South Sea Islands emerging from her ocean bath, illustrates this augmenting effect of association when he says,

> "Naked in faith and feeling as in form,
> She stood as stands the rainbow in a storm."

The basis and import of allegory demand the same exposition. The thought of persons and their actions is accompanied by more feeling, makes a deeper impression, and seeks a stronger expression, than the thought of abstract ideas and their relations. Therefore the author who wishes to express his conceptions so as to awaken the keenest interest in his reader, instead of employing a series of abstract phrases, personifies them and depicts them in living movement. This is the original secret of all metaphor, which is the effort of the imagination to secure a more vivid stimulus and a broader and deeper channel for thought and emotion. "The orator," as Emerson says, "bred amid country scenes, does not lose their lesson in the roar of cities or the broil of politics. Long after, in public agitation and terror, in the hour of revolution, these solemn images reappear in their morning lustre as fit symbols of the thoughts which the passing events awaken. At the call of a noble sentiment, again the woods wave, the pines murmur, the river rolls and shines, and the cattle low upon the mountains as he saw and heard them in his youth. And with these forms, the spells of persuasion and the keys of power are put into his hands."

Every man is keyed to some measure, set to some tune. Whenever a passion adequate to that measure strikes him, or a mood up to the level of that tune possesses him, he breaks into music and song. The poet is a man whose sensibility is so keen and rich, whose faculty of expression is so quick and copious, that he easily overflows into wealthy and beautiful verse.

Having thus seen the origin and nature of poetry, it now remains to set forth its uses. Its first use is to give relief and pleasure to the soul by a fit expression of what stirs, burns, and crowds within it. What all dumbly feel, the poet feels so powerfully as to compel an utterance; and he is so gifted as to secure for it a melodious and beautiful utterance, which imparts sensations of ease and joy not merely to himself, but to every one who appreciates it. The enjoyment of a felicitous and full expression of its experience, confronting it again as in a mirror, is one of the purest and most massive pleasures of the mind. The reader who has ever known that slight, vague melancholy, more sweet than bitter, so familiar to tender and pensive natures, must derive a thrill of commingled surprise and satisfaction from the exquisite embodiment it has obtained in Longfellow's lines: —

> "The feeling of sadness and longing
> That is not akin to pain,
> And resembles sorrow only
> As the mist resembles the rain."

Many a man has often felt what no man has ever so well uttered as the author of Childe Harold: —

> "Could I embody and unbosom now
> That which is most within me, — could I wreak
> My thoughts upon expression, and thus throw
> Soul, heart, mind, passions, feelings strong or weak,
> All that I would have sought, and all I seek,
> Bear, know, feel, and yet breathe, into one word,
> And that one word were lightning, I would speak.
> But, as it is, I live and die unheard,
> With a most voiceless thought, sheathing it as a sword."

Poets are persons of more affluent and susceptible natures, more truly *men*, than other men; and symbolizing their experience in the choicest words, they reveal man to himself. No small portion of the astonishment and delight we derive from the works of the poets arises from recognizing there in clear expression the glorified shapes of what we had obscurely felt, in the most secret and sacred shrines of our being, and had thought peculiar to ourselves. Poetry would be amply justified had it no other use than to give pleasurable

vent to the yearning experience of the soul. He is no genuine poet who needs a motive beyond this, as is well illustrated by the following apologue, the substance of which we borrow from a poem by Charles Mackay.

Two nightingales, who had long filled the woods with melody, once sat silent for a moment, when one said to the other: "I am weary of singing all night to these dull boughs, and the heedless moon and stars, with none to listen to my notes and call them beautiful. I will fly to the city, and there lift my voice till the enraptured crowd pause and praise me." The other one said: "Amid these oaks and hills and streams I am happy to sing, because my breast is full. My song is an effluence of joy and worship. If men listen and are pleased, I am glad; if they heed not, none the less happy am I in singing." The ambitious one, scorning his contented brother, flew to the city and alighted on the market, and all day long, in the smoke and dust and roar, he poured his glorious strains of music. But the multitude were absorbed in toil, pleasure, and rivalry, and no man listened to him. Disappointment soon rankled into hate, and he fled back to his solitude and sang no more. Angry with himself and with the world, he soon died, and left no mourner. But the other one, who, inspired by beauty and love, gratitude and joy, stayed happy in the woods, and sang only from the fulness of his breast, still continued to entrance the night with his unpremeditated notes. The weary cotter often lingered to listen to his song, and felt that it was beautiful, and students and lovers, who wandered there, loved nature the more because this bird had sung.

The second function of the poet is to reproduce in the soul of the reader his own experience. All literary products are mental pemmican, or the concentrated nutriment of consciousness; poetry emphatically so, because the poetic temperament most profoundly feels, and the poetic faculty most effectively represents, the realities of experience. The utterer of beautiful and sublime sentiments, even in conversation, still more in oratory, awakens beautiful and sublime echoes in the breasts of his hearers. But

> "The finer thoughts, the thrilling sense,
> The electric blood with which their arteries run,
> Their body's self-turned soul with the intense
> Feeling of that which is, and fancy of
> That which should be,"

enable *poets* more powerfully than any other authors to summon up in their readers the states of consciousness that exist in themselves. We read that an English nobleman once, as he sat ruminating an unjust vengeance which he had determined to take on an enemy, by chance opened a volume of Shakespeare, and fell on the lines,

> "Thrice is he armed that hath his quarrel just,
> And he but naked, though locked up in steel,
> Whose conscience with injustice is corrupted";—

and such was the holy impulse created by the words, that he immediately abjured his evil purpose. A recent traveller among the nomadic people of Northern Asia describes an interesting adventure which befell him, and which is pertinent to our present train of remark.

"I found the chief, like a patriarch, sitting at the door of his tent, surrounded by his family, his poet in front singing the great deeds of his race. He rose to receive me, gave me a seat on his own carpet, and bade the bard continue his song. The family group, the glowing sky, the vast plain with the thousands of animals scattered over it, formed a complete picture. Homer himself was never listened to with more attention than this shepherd poet. When he sung of their mountain scenes, their pastoral habits, their flocks and herds, the faces of his hearers were calm, and they sat motionless. But when he began to recite their warlike deeds, their eyes flashed with delight; and as he proceeded, they were worked into a passion, and some grasped their battle-axes and sprang upon their feet. Then followed a mournful strain, telling of the death of a chief; when all excitement ceased, and every one listened with breathless attention."

The workings of the soul of this half-barbaric bard were reflected and echoed in the souls of his auditors. So is it, only on a nobler scale, with those great poets whose marvellous sensibility and skill, assimilating and creative powers, grasp all truth and beauty, hold all the heights and depths of human thought and feeling, embody their experience in their

writings, and impart the same to every appreciative reader. This is the second use of poetry, to enrich the impoverished multitudes of beneficiary mankind with the ideal wealth of the great millionnaires of soul.

In the third place, it is the miraculous prerogative of literature in general, of poetry in especial, to translate all nature, life, and experience into their verbal equivalents, and to preserve them, embalmed in a sort of intellectual balsam, in perpetual readiness for realization and enjoyment. For example, few persons, and they but seldom, can actually roam amidst the stately piles of feudal architecture, listen to the reduplicated notes of mellow horns dying away among distant glens and rocks, and call up the magic tales and sights of fairy lore in their native localities. But when Tennyson sets it all in his compressing verse, any one, simply by repeating the lines, may, whenever he pleases, surround himself with the entrancement of the romantic scenery and the legendary sounds.

"The splendor falls on castle walls,
And snowy summits old in story;
The long light shakes across the lakes,
And the wild cataract leaps in glory.
Blow, bugle, blow, set the wild echoes flying;
Blow, bugle: answer, echoes, dying, dying, dying."

"O hark! O hear! how thin and clear,
And thinner, clearer, farther going;
O sweet and far, from cliff and scar,
The horns of Elfland faintly blowing!
Blow, let us hear the purple glens replying;
Blow, bugle: answer, echoes, dying, dying, dying."

Poetry condenses the great provinces of the material creation, history, fancy, passion, philosophy, into portable forms, and presents them to her disciples. Borne about in memory, they weigh nothing, and occupy no space, yet are ever ready, at the slightest summons, to leap up in the illuminated domain of fantasy into their proper magnitudes, and to exert their rightful influences. In the Scandinavian mythology, the inventive Dwarfs made for their friend Frey, the deity of sunshine and rain, a ship called Skidbladmir, which he could fold up in such diminutive compass as to carry it in his vest pocket,

or dilate to such enormous dimensions that the entire hosts of the gods, with all their arms and equipments, might embark on board of it, and have room to spare. A *word* is the reality of which this mythical ship is the symbol. A poetic word is the enchanted Skidbladmir, which, though carried unseen in a corner of the brain, or on the tip of the tongue, when expanded by imagination, may contain and float the universe. Who will measure the contents of such words as life, force, death, immortality, mystery? These are the magic vehicles in which the poet puts all the marvels of existence, all the wrestlings and triumphs of genius, and bestows them on his readers without money and without price.

Another essential office in the mission of poetry is to reveal to duller eyes and colder hearts the beauty and joyfulness of Nature, — so to unveil her attractions, voice her invitations, and illustrate her wholesome pleasures, as to redeem the hardened from their sullen seclusion, and restore the outcast from poverty and despair to their proper heritage in the open spectacle and banquet of the universe. Millions of men are so coarse and vulgar, or so absorbed and harassed, as to be quite insensible to the infinite loveliness and awe that crowd every nook of creation, the infinite sweetness and mystery that pervade every relationship of their existence. It is the happy privilege of the poet to be intensely alive to these divine realities; and it is his sacred commission to quicken others to the same exalted perceptions, — to make them tender, holy, peaceful, and joyous, by adopting them into his fellowship in the tenderness, holiness, peace, and joy of a pure communion with Nature. The poet is to other men a priest of the wonder and bloom of the world, which they see through his eyes, and feel through his heart, and so are healed and made glad.

"For oh, is it you, is it you,
Moonlight, and shadow, and lake,
And mountains, that fill us with joy,
Or the Poet who sings you so well?
Is it you, O Beauty, O Grace,
O Charm, O Romance, that we feel,
Or the voice which reveals what you are?
Are ye, like daylight and sun,
Shared and rejoiced in by all?

Or are ye immersed in the mass
Of matter, and hard to extract,
Or sunk at the core of the world,
Too deep for the most to discern?
Like stars in the deep of the sky,
Which arise on the glass of the sage,
But are lost when their watcher is gone?"

Arnold's Poems, p. 324.

Hardly any other lesson does poetry teach more frequently or more earnestly, hardly any other lesson is more needed and precious, than this, — the beauty of nature, the love of nature, the purifying, strengthening influences of communion with nature.

"Under the leaves, amid the grass,
Lazily the day shall pass,
Yet not be wasted. Must I ever
Climb up the hill-tops of Endeavor?
I hate you all, ye musty books!
Ye know not how the morning looks, —
Ye smell of studies long and keen;
I'll change the white leaves for the green!
My Homer, Shakespeare, Milton, Pope,
I'll leave them for the grassy slope,
Where other singers, sweet as they,
Chant hymn and song and roundelay.
What do I care for Kant or Hegel,
For Leibnitz, Newton, Locke, or Schlegel?
Did they exhaust philosophy?
I'll find it in the earth or sky,
In woodbine wreaths, in ears of corn,
In flickering shadows of the morn;
And if I gather nothing new,
At least I'll keep my spirits true,
And bathe my heart in honey-dew."

Never, we believe, has this lesson of nature been taught by any other poet with such inexhaustible truth and pervasive power, as by Wordsworth.

"He, too, upon a wintry clime
Had fallen, — on this iron time
Of doubts, disputes, distractions, fears.
He found us when the age had bound
Our souls in its benumbing round;
He spoke, and loosed our hearts in tears.

He laid us, as we lay at birth,
On the cool, flowery lap of earth;
Smiles broke from us, and we had ease.
The hills were round us, and the breeze
Went o'er the sun-lit fields again;
Our foreheads felt the wind and rain.
Our youth returned: for there was shed
On spirits that had long been dead,
Spirits dried up and closely furled,
The freshness of the early world."

Arnold's Poems, pp. 269, 270.

Furthermore, the poet is eminently an emancipator of men. It is one of his choicest functions to thrill imprisoned souls with the notes of liberty, to open their cages of care, and to set them free in the cosmopolitan liberty of love and truth. By his comprehensive sympathy, his power of reproducing all things in contemplative and emotional imagination, and his gift of imparting this experience to others, he takes us out of mere self, tears off the veils and husks of bigotry and stupidity, expands us beyond the limits of egotism, makes us live in the whole life of humanity. Burns, walking once with Dugald Stewart on the hills near Edinburgh, and looking over the villages spread beneath, said that the sight of so many cottages gave him a pleasure which no one could understand who did not know as he did how much of real worth and happiness such poor dwellings contained. It is the poet alone who can truly say, "As a man, I feel an interest in everything human."

"The Poet, to whose mighty heart
Heaven doth a quicker pulse impart,
Subdues that energy to scan,
Not his own course, but that of Man."

"He sees in some great historied land
A ruler of the people stand;
Sees his strong thought in fiery flood
Roll through the heaving multitude;
Exults, yet for no moment's space
Envies the all-regarded place."

"He, mingled with the crowd,
Is in their far-off triumphs proud.
From some high station he looks down,
At sunset, on a populous town;

Surveys each happy group that fleets,
Toil ended, through the shining streets,
Each with some errand of its own; —
And does not say, *I am alone.*"

Arnold's Poems, pp. 294, 295.

This sympathetic, reproductive, universalizing spirit of poetry makes it a missionary of that religion whose essence is breathed in the twin commandments, "Thou shalt love the Lord thy God with all thy heart," and "Thou shalt love thy neighbor as thyself."

Poetry, we must say, in addition, is intrusted with a general apostleship of virtue and philanthropy, charged to portray the commanding charms of justice, faith, love, and magnanimity. The poet, by his very temperament and gifts, is a believer, a lover, an enjoyer. He is too highly endowed with the blessed prerogatives of insight and fruition to be a victim of the petty distrusts, envies, hatreds, and morosenesses which afflict the souls of so many, imbittering their cup of experience from its foam to its dregs. Consequently, his singing tends to cheer and sweeten all existence, flinging light and music abroad, beautifully reflecting everywhere in the mirrors of its thoughts and sentiments whatever things are real, fair, good, blissful, everlasting. The poet, being the natural organ of truth and beauty, virtue and joy, can hardly so belie his nature, and invert his mission, as to become the organ of meanness and falsehood, of hatred and vice, or so untune himself as to sing the praises of deformity and misery. It is the over-feeling of things lovely and beneficent, of emotions pure and true, of hopes and visions magnanimous and divine, that produces the genial yearning which makes us cling to them, fondle them, and strive to preserve them by turning their expression into harmonious verse. The over-feeling of suspicion, malice, and other like experiences, usually works itself off in gall, and plots, and deeds, and not in any literary products, — least of all, in poetry, which requires serenity of joy amidst excitement of expression. The poet, accordingly, is a teacher of religious morality; that is, a nourisher of all sacred sympathies. No ignoble jealousy contracts, but an overflowing generosity of emotion expands, his soul, as he

turns to his fellow-men and strikes his lyre to the spontaneous notes of righteousness and blessedness. Infusing the credulous fulness of his own loving heart into all things, refusing to believe that even the most depraved of men is beyond the restoring power of sympathy, he tells us that, as every block of marble in the mine contains the form of a god robed in light, only needing the lofty thought and skilful fingers to call it forth to captivate the world, —

"So in the hardest human heart
One little well appears,
A fountain in some hidden part,
That brims with gentle tears;
It only needs the master-touch
Of Love's or Pity's hand,
And lo! the rock in crystal melts,
And gushes o'er the land."

In a world so filled and set on fire with jostling rivalries as modern society is, the most prevalent weakness, sin, and misery can hardly fail to be egotistic jealousy. That fault is rebuked by every true strain of poetry from first to last. Who will not derive both pleasure and benefit from the lesson of disinterested sentiment embodied in the following generous verses?

"Lend me thine eyes, Posterity! A cloud
Gathers between my vision and the men
Whose voices echo o'er this breathing world.
Lend me thy sight, — lend me thy placid soul,
Free from this mean contemporaneous scorn,
That I may know what mighty spirits walk
Daily and hourly in my company,
Or jostle shoulders in the common crowd,
The thinkers and the workers of the Time.
I'm sick of Apathy, Contempt, and Hate,
And all the blinding dust which envy stirs,
To shroud the living lustre from our sight.
Lend me thine eyes, grateful Posterity!
Upon the hill-tops I would stand alone,
Companion of the vastness, and keep watch
Upon the giants passing to and fro,
Small to the dwellers in the vales beneath,
But great to me. O just Posterity!
I strive to penetrate thy thought; to soar
Beyond the narrow precincts of To-day,

And judge what men now wanting crusts of bread
Shall in thy book stand foremost with the crowned;
What scorned and persecuted guide of thought
Shall shine, the jewel on a nation's brow;
And what unfriended genius, jeered at now,
Shall fill the largest niche of Pantheons.
I would behold, daily, for my delight,
The clear side of the greatness, the full size,
Shape, glory, majesty, of living men.
Why should our envy dim the orbs of heaven?
Why should our malice dwarf the giant's height, —
Our scorn make black the white robe of the sage?"

Another and a central feature in the mission of poetry is consolation. Among the uses of verse, this scarcely deserves a subordinate place; but we have space left only to give it a hurried illustration. The poet is a consoler, first, because, from the fineness or susceptibleness of his organization, he is the most profoundly experienced and the most tenderly sympathizing of men; secondly, because, by virtue of the same fact, he stands in the most open and comprehensive relations to the eternal sources of truth, good, beauty, and joy; and, thirdly, because attention on our part to a measured and musical expression of feeling tends, by the innate laws of our constitution, to soothe and reduce the wild outbreaks of rage or wretchedness into limit and proportion, and to attune the discordant irregularities of excessive passion into a subsiding and governable harmony. The melodious symmetry and flow of gentle verse seize the harsh, jarring effects of distress and terror by a sympathetic influence, fascinate them, subdue their lacerating impulses into unison with its own ordered movement. When the sweet singer of Israel played on his harp before Saul, the evil spirit left him. We have known a minister to go into a room full of mourners who were frantically weeping and wailing, and as he said, in soft, low tones, "The Lord is my Shepherd; I shall not want: he maketh me to lie down in green pastures; he leadeth me beside the still waters; he restoreth my soul," — in a moment the convulsions ceased, and every sound was hushed. Sad and tender poetry may often make us weep; but the tears we then shed are not smitten forth by cruel shocks, nor wrung out in scald-

ing bitterness. They are pleasing tears, that *relieve* in flowing, and *heal* as they flow.

"As a twig trembles, which a bird
Lights on to sing, then leaves unbent,
So is my memory thrilled and stirred: —
I only know she came and went.

"As clasps some lake, by gusts unriven,
The blue dome's measureless content,
So my soul held that moment's heaven: —
I only know she came and went.

"As at one bound our swift Spring heaps
The orchards full of bloom and scent,
So clove her May my wintry sleeps: —
I only know she came and went.

"An angel stood and met my gaze,
Through the low doorway of my tent;
The tent is struck, the vision stays: —
I only know she came and went.

"O, when the room grows slowly dim,
And life's last oil is nearly spent,
One gush of light these eyes will brim,
Only to think she came and went."

The last and crowning use of poetry is to impart inspiration to an often burdened existence, and to serve as the bright and blissful complement to a sometimes dark and defective world. Poetry is own sister of Religion. In their ideal but experimental domains we find refuge, solace, exhaustless riches, when the facts of our lot are cold, hard, and painful. Entering the enchanted realm and the divine fellowship of the poets and saints, we leave, forgotten, behind us, exuding hate, repulsive difficulties, aching disappointment, and despair. Far beyond our gloomy environment of foes, fears, sorrows, and harsher hardships, we half find, half create, a better sphere, and reign there, as happy kings, within our world of thought. In the wedded rapture and serenity of imaginative faith and love, adventure and fruition, we no more think of the storm of poverty, toil, and wretchedness we have forsaken, than an eagle sailing on exultant wing in the upper sunlight of heaven heeds "where his silent shadow skims the rocks below." This

sublime prerogative the poet shows us how to appropriate; and no more sacred office can now be performed by man for his fellow-man. When depressed and faltering, we know instinctively where to turn for comfort and strength, — to the strains of the mighty poets surcharged with irradiant vitality, pulsating with immortal power. Worn, weary, and old, from the battling cares of our days, we renew ourselves with literary nectar and ambrosia; we have recourse to those

> "Olympian bards who sung
> Divine ideas below," —

ideas which, if they do not always "*find* us young," at least are always able to *make* us so. Among men, then, the poet is pre-eminently the inspirer.

We have now living in America an author whose pages abound in tonic utterances of wondrous reach and lofty cheer. On the fly-leaf of a volume of this author's Essays were written the following lines, full of that electric contagion, that condensed and exuberant enthusiasm, which is equally the poet's birthright and his achievement. They show the inspired and inspiring character of the poet in striking contrast with the sceptical or torpid mood of the mass of mankind.

> "O monstrous, dead, unprofitable world,
> That thou canst hear, and, hearing, hold thy way.
> A voice oracular hath pealed to-day,
> To-day a hero's banner is unfurled.
> Hast thou no lip for welcome? So I said.
> Man after man, the world smiled, and passed by:
> A smile of wistful incredulity,
> As though one spake of noise unto the dead;
> Scornful, and strange, and sorrowful, and full
> Of bitter knowledge. Yet the Will is free;
> Strong is the Soul, and wise, and beautiful;
> The seeds of God-like power are in us still;
> Gods are we, Bards, Saints, Heroes, if we will.
> Dumb judges, answer — truth? or mockery?"
>
> *Arnold's Poems*, p. 174.

Yes, the poet is forever the inspirer; and *that* is the transcendent use of his singing, — to fill us with faith, strength, and cheer, when in the desert of life we faint and stagger. The war-songs of Tyrtæus thrilled the Spartan ranks with resolve

as the bursts of morning sunshine lift a field of drooping flowers. Sir Philip Sidney says, "I never heard the old song of Percy and Douglas, that I found not my heart more moved than with a trumpet." The time when poetry was used to incite men to charge upon death in the blazing ranks of battle, and to trample their bleeding brothers down, is fast going by. But when it is quite gone, the mission of heroic verse will not be ended. It will then win its highest triumphs, in singing the more splendid sacrifices of peace, and the more god-like victories of philanthropy. Its martial strains will then fire the hearts and swell the bosoms of generous men to march in the phalanx of reform to the conquest of universal truth, freedom, and good.

ART. VIII. — *The Law of Freedom and Bondage in the United States.* By JOHN CODMAN HURD, Counsellor at Law. In two volumes. Boston: Little, Brown, & Co.; New York: D. Van Nostrand. 8vo. pp. 617, 800.

THIS is a remarkable work, not only for thorough research, wide range of investigation, exhausting discussion, and general ability, but for the singularly unimpassioned tone in which it treats of the most exciting topic of the age. Slavery takes the strongest hold alike upon the moral senses and the sympathetic emotions of mankind. The unwarped and unperverted conscience pronounces it a gigantic injustice, and the heart of humanity is sorely pained by the sufferings which flow from it, however fully the understanding may recognize the practical difficulties which lie in the way of removing it, or however faithfully the reflecting patriot may respect the constitutional defences which have been thrown around it. No one can wonder that those in whom the sympathetic and emotional elements are predominant should see nothing in slavery but the fact of its existence, should acknowledge no limits to the responsibility which it imposes upon freemen to labor for its removal, and should take no heed of the obstacles

lying in their path, whether from the nature of things or from the character of the institutions under which we live.

But Mr. Hurd treats the subject of slavery as dispassionately as Mr. Fearne has treated the subject of contingent remainders. He looks at it through a simple achromatic glass, which neither colors nor magnifies. He resolutely thrusts aside all considerations flowing from the passions and the affections. He is as unimpassioned as a chemist analyzing a mourner's tear, or a physiologist explaining a lover's blush. He neither denounces nor declaims: he has no benedictions for those who agree with him, and no maledictions for those who differ from him. We have no reason to believe that the tone of the book arises from want of sensibility in the author; we doubt not that Mr. Hurd has as keen a perception of the evils of slavery as those who are most fervid in denouncing it; but his intellectual training has been such as enables him to put aside his emotions and sympathies when he has resolved to do so, and to investigate his subject exclusively by the dry light of the understanding. It is not that he feels less, but that he thinks more. The judicial temper of his book is the more remarkable, when we remember that Mr. Hurd is still a young man, — a fact which also increases our respect for its thoroughly conscientious spirit and the various and profound learning which it shows. Mr. Hurd's love of truth amounts almost to a passion; and this characteristic, which we find stamped upon every page of his work, gives a certain moral charm to its gravest and driest discussions.

Mr. Hurd's general method of treatment, his wide range of research, his fondness for abstract discussion, and his somewhat extreme love of divisions and distinctions, show the influence which the writers and thinkers of Germany have had in the formation and growth of his mind. His treatise belongs to a class of works which find a more appreciating public in Germany than in our own busy and practical country, where we want results without the processes by which they have been reached. The scholars of that land could not fail to greet with peculiar satisfaction a writer who shows so marked an intellectual affinity with them, and whose book is so honorably distinguished for the German qualities of patient

investigation, methodical structure, and noble indifference to popular effect.

But though Mr. Hurd shows the influence of Germany in the training of his mind, yet the spirit of his work, its point of view, and the order in which the topics are evolved, are rather Anglican than German. His method is more inductive than deductive. He belongs to the historical school, so called, which recognizes an inevitable connection between the present and the past, and maintains that forms of government and political institutions are the results of laws as imperative as those which bid the rose-bush bear roses. We can imagine that the work grew by successive steps, somewhat after this fashion.

Mr. Hurd found himself a citizen of a confederate commonwealth, made up of thirty-four single commonwealths, with the attributes and functions of sovereignty apportioned between the whole and the parts. Of these single commonwealths, fifteen were slaveholding and nineteen were non-slaveholding. The apportionment of the functions and attributes of sovereignty was made by an organic law called the Constitution, — the expression of the will of the aggregate or collective people. The subject of slavery is included in this Constitution, and a copious range of inquiry and discussion is necessitated in order to the mere construction of those clauses of the Constitution which touch upon it.

But this is not all. Slavery is older than the Constitution, and independent of it. At the time of the formation of the Constitution, slavery existed in nearly every State of the confederation. The States are older than the Constitution. Hence arises another class of questions as to slavery upon this continent anterior to, and independent of, the Constitution, — its origin, the legal ground on which it rested, and consequently a consideration of the law of negro slavery in England, as well as an examination of its judicial recognition in Europe generally.

The legislation of the several States upon the subject of slavery, and in regard to the African race, forms another branch of inquiry purely historical.

The work is divided into three parts or divisions, the first

being the elementary or abstract portion, contained in the first and second chapters; the second, the historical portion, contained in the third and following chapters, to the eleventh, inclusive; and the third, the practical portion, contained in the remaining chapters of the work. Of the first and second chapters a few copies were published in advance of the work, under the title of "Topics of Jurisprudence connected with Conditions of Freedom and Bondage," a title which points out, with sufficient distinctness, the range of discussion and inquiry embraced in them.

Mr. Hurd begins by distinguishing the primary and secondary meanings of the word *law*. In its primary sense, it is a rule of action, prescribed by a superior to an inferior; in its secondary sense, it is a mode of existence or action. When we speak of the law of primogeniture, we use the word in its former sense; when we speak of the law of gravitation, we use it in the latter. Jurisprudence is the science of a rule enforced by the will of a state or sovereignty. Questions relating to the nature of man — the law of his being, in the secondary sense of the word *law* — come under the province of ethics. The rules of action prescribed by any single sovereignty or state are called national, or municipal law. They have effect only within the territorial limits of its dominion. But from the fact that men are under the jurisdiction of different states, and that the effects of municipal laws cannot be confined within the territorial limits of each state, there arises a branch of law called international law, or the law of nations. Municipal law and international law are both subdivided into two portions, public and private. Public municipal law is that by which the supreme power asserts or defines its own nature, bounds, and purposes within its own limits; private municipal law is that which determines, within the limits of a state, the relations of persons towards one another in all the incidents of the social state. Public international law is that which concerns the mutual relations of sovereign states as such; private international law determines the relations of individuals towards other national authorities or jurisdictions than that with which they are primarily associated as subjects. Public international law is not law in its

primary sense of a rule imposed by a superior, having a right to command, upon an inferior, who is bound to obey, inasmuch as the mutual independence of nations precludes the idea of superiority or inferiority. It is a rule, or body of rules, of moral obligation, resting upon the general consent of civilized humanity.

International law, as applied by the judicial tribunals of any state, is to be distinguished from the municipal law of that state only in the nature of the relations which it affects: it is identified with it in respect to its authority over all persons within the jurisdiction of the state. This is a point on which Mr. Hurd especially insists, and a principle which he repeatedly enforces. Whenever one sovereignty gives effect to the law of another sovereignty, it is by virtue of a law on the part of the former. For instance, England regulates by law the contract and condition of marriage within its own territory; but suppose a man and woman residing in England go to Scotland, there contract marriage, by forms which are valid in Scotland but not in England, and then return to England, the recognition or non-recognition of such marriage is entirely within the autonomic sovereignty of England. The law of Scotland on this head can have no proper force out of its own territory. If England adopts and recognizes such marriage, it is by virtue of her own law, — a law flowing from the same source, and enforced by the same sanction, as that by which she regulates marriage between her own subjects on her own soil.

The sources of law — the method in which it is generated — are the same in municipal and international law. First and most authoritative is direct legislation, the distinct enunciation of the will of the state through its lawful and constitutional organs. But a considerable portion of the rules which regulate the relations of men in civil society are not the result of direct legislation, — are not statute law. They are the gradual growth of time. They form what is designated customary law. This is created, in the lapse of years, by the judicial tribunals which expound the law in a given case. Such was the origin of the common law, so called, in England and America. The tribunals do not make or create the

custom: they merely recognize it as existing. First comes the custom, and then the judicial enunciation, or exposition, of it. Custom is the effect of law, and not the cause of it.

If jurisprudence is taken to be the science of law, in the strict and proper sense of the word, it is the science of some one national law. But since the jurisprudence of each state recognizes natural reason as a rule of intrinsic force, and in its muncipal and international law applies that reason to the unalterable conditions of human existence, thus recognizing the law of nature, in the primary and secondary senses of the word *law*, it follows that some principles will be found to be the same in the law of many different states. These principles may be judicially considered as founded on the necessary conditions of human existence, and as being natural principles in the jurisprudence of any one country; not only because recognized by the national law, but because founded on the general reasoning of men living in the social state. They form a general or universal jurisprudence, so called because they are found among all civilized and enlightened nations.

The Roman jurists employed the term *jus gentium*, *law of nations*, to designate legal principles having this general extent. This is to be carefully distinguished from (public) international law, *jus inter gentes*, which is of comparatively modern growth. The term *universal law* has been employed by late English writers to designate these principles, corresponding to the *jus gentium* of the Roman jurists. These principles are inevitable deductions from the law of humanity itself.

Municipal law recognizes various forms of servitude and bondage. No subject of a state is entirely and absolutely free; but there are various degrees of restraint. Feudal slavery confines the person to a particular locality and a subordinate range of action. Caste is a limitation of liberty operating upon a certain and defined class of persons. But slavery in its popular sense, or chattel-slavery, is that condition of a natural person in which, by the operation of law, the application of his physical and mental powers depends, as far as possible, upon the will of another who is himself

subject to the supreme power of the state, and in which he is incapable, in the view of the law, of acquiring or holding property, and of sustaining those relations out of which relative rights proceed, except as the agent or instrument of another. In slavery, strictly so called, the supreme power of the state, in ignoring the personality of the slave, ignores his capacity for moral action, and commits the control of his conduct as a moral agent to his master.

There are three maxims in international law which are of universal reception, and are thus axiomatic principles of universal jurisprudence. The first of these is: The power of every state or nation is absolute, self-dependent, and supreme, within that space or territory which it possesses or occupies as its own domain, and over all persons and things therein. The second is: The sovereign power of one state or nation is not to be recognized as sovereign, or has no existence as such, beyond its own domain or territory, or within the space or territory which constitutes the domain of another possessor of national sovereignty. These two maxims are laws in the secondary sense only; they are not properly rules of action, but statements of a mode of existence or of action. They are maxims of universal law, and lie at the foundation of civil society. The third maxim is: The laws of one nation or state may, by the consent or allowance, and therefore under the authority, of the supreme national power in another nation or state, have the effect of law within the jurisdiction of the latter. This maxim is the statement of a relation or condition only, and therefore, like the first and second, a law in the secondary sense of the word *law*.

Status, or personal condition, consists in the possession of individual rights, and is always, at any one time, under the legislative power of some one state. The *status* of a natural person can become a question of private international law only when such person is living under a certain jurisdiction, with a *status* or condition created under and by force of another jurisdiction within which he formerly lived. Shall the state in which such person is domiciled recognize and enforce the relations created by a state in which he was formerly domiciled? This is a question coming within the scope of the

autonomous sovereignty of the state itself; or, in other words, a state may or may not recognize those relations, as it pleases. The tribunal which is called upon to determine any particular question of this kind must ascertain the will of the state. If there be positive legislation, that of course is authoritative and decisive; but, in the absence of that, the tribunal must ascertain the will of the state by reference to those standards of natural reason which have, by anterior judicial recognition, and the implied sanction of the sovereign power whose will they execute, acquired the authority of law. The laws of other states are recognized as having a jural character; and, as a consequence of this recognition, the state will also recognize and support foreign laws, and their effects upon persons and things coming within its dominion, when those laws are not contrary to the rule of right contained in the municipal or internal law. This is the true source and reason of the rule called comity. Judicial comity is, in fact, customary law. It is the comity of nations, and not the comity of tribunals. The tribunal must compare the foreign law with the measure of right contained in the local law. Laws of different origin may produce similar effects, and these would everywhere be recognized and enforced. Laws of different origin may produce dissimilar effects; but these may be recognized and enforced partially, and with limitations and exceptions.

Mr. Hurd thus states the simplest general principle of private international law applicable to the subject: That relations of persons and their constituent rights and obligations, existing under the law and jurisdiction of one state, are to be judicially admitted to international recognition (that is, to be allowed to have legal effect) within the jurisdiction of other states, when they are not inconsistent with those principles which, in the jurisdiction of the latter, are juridically known as principles of universal personal application and extent, or which the local law applies to all natural persons within its power and its territorial jurisdiction.

Certain principles, from being constantly recognized by many different nations, will acquire, in the jurisprudence of any one nation, the known character of universal principles, or principles of universal jurisprudence. Having once acquired the

character of jural rules, in the jurisprudence of each state, by an inductive method, — from the fact of their general recognition, — they become vital and germinating principles, from which consequences are to be deductively drawn. But the effects of universal jurisprudence within any particular state may be limited by laws having a universal personal extent within the territorial limits of such state. Especially may this be done by positive legislation.

The law of legal capacity and personality lies at the foundation of private international law, as well as of private municipal law, and the relations of persons which constitute freedom or liberty, and slavery or bondage, may be a topic of international private law, as well as of municipal private law. Certain relations, such as those between husband and wife, parent and child, guardian and ward, are universally recognized, and form a part of universal jurisprudence. But conditions or relations not supported by universal jurisprudence may be sustained by what is called *comity*. Chattel-slavery will not be recognized in countries where the local or municipal law recognizes all human beings as legal persons, with capacity for legal rights and duties, and attributes the right of personal liberty to every individual domiciled within the sphere of its sovereignty ; but it will be recognized in countries where such condition is known to the local law. But though slavery may not be recognized as lawful in any particular country, yet the relation may be recognized as having been lawful in the foreign country where it was formed, and the rights and obligations existing under the law of the domicile as between the master and third parties, in respect to the slave, may be recognized and maintained in the law of the forum.

The above is an imperfect, though tolerably full, abstract of Mr. Hurd's first two chapters, which, though introductory to the whole work, have something of the character of a separate and independent treatise. They are remarkable for thoroughness of discussion, careful accuracy of statement, nice distinction of principles, and especially for the wide range of investigation and research which the learned foot-notes show ; they reveal an uncommon power for the examination and exposition of juridical questions ; but so far as the reception of the

book is concerned, we cannot but think it a little untoward, that, in this age of preoccupied minds and rapid movement, the reader should encounter upon the threshold more than a hundred pages of such abstract discussion. There is something of mathematical closeness in the vigor of Mr. Hurd's reasoning; every paragraph requires fixed and concentrated attention, and if a single stitch be dropped, the continuity of the web is broken. There are but few minds, comparatively, that have the athletic training and the patient tenacity of grasp which such studies require. Mr. Hurd has a very accurate mind, and his statements are elaborately and painfully careful; but he is deficient in the power of illustration, and this is an important want in a writer who deals with juridical topics. Illustrations in works of this class may be compared to fountains by the side of a road; they do not shorten the journey, but they refresh the traveller, and prevent him from fainting by the way.

The second part of the book, commencing with the third chapter and closing with the eleventh, contains an historical examination of the law of *status*, or personal condition. From the earliest instances of the political annexation of foreign territories to the dominion of the British crown, there has been much dispute in English jurisprudence respecting the personal extent of the laws of England in reference to such territories; but the American doctrine always was, that the common law of England accompanied the English colonists as a personal law, and fixed their social and civil rights, as much as those of British subjects in England. During the colonial period, the extent of the common law of England, in determining the rights of the British-born colonists and their descendants in America, became generally recognized in matters of private law. Its operation, in determining the public rights of the colonists, was always a matter of controversy, settled at last by the Revolution.

In determining what that common law of England was which accompanied the British colonists in America as a personal law, it must be inquired whether, at the time of the settlement of the colonies, there were any principles of universal jurisprudence — any historical law of nations — affecting the

status or condition of natural persons, which, in England, could be judicially applied as part of the common law; and, as preliminary to such inquiry, it must be ascertained what principles affecting natural persons in the relations of freedom or bondage under private law were judicially known as part of the historical law of nations at the time of the planting of the colonies, and the date of their charters.

The Roman law is received by all publicists and jurists as the authoritative exposition of the principles of universal jurisprudence. In this sense, it has been the common law of the greater part of modern Europe. The authority of the Roman law does not rest, as is often loosely stated, upon its intrinsic merit as an exposition of natural reason, but upon its judicial recognition among civilized communities.

The Roman law regarded slavery as a condition recognized and maintained by the law of nations. In point of fact, it was a condition or *status* prevalent in every nation of antiquity, and universally consequent upon captivity in war. In other words, it was a legal condition, universally recognized by the natural reason of mankind, so that, before describing the rights of persons, the Institutes begin with the simple declaration that human beings are either freemen or slaves.

But the principles universally recognized, which comprise the law of nations, are susceptible of change. They are modified by the progress in material and moral civilization of which society itself is capable. But this change is not simultaneous among all nations. During the later period of the Roman empire, Christianity began to modify slavery, so that slavery was no longer attributable to universal jurisprudence; and a similar effect was produced among the nations of Northern Europe.

But Christianity introduced a new distinction into this subject. It made difference of religious creed a foundation of chattel slavery in modern times. Chattel slavery of infidels and heathens was supported by universal jurisprudence. In the fifteenth century the holding of heathen negroes as slaves was so supported. The traffic in negro slaves was recognized by all the maritime nations of Europe. During the period within which the thirteen American colonies were founded, the

chattel slavery of Moors, Africans, and Indians was recognized as a part of universal jurisprudence. In this connection Mr. Hurd gives a brief abstract of the various reported cases in England upon the subject of slavery, down to Somerset's case in 1772. But the decision in that case did not affect the question of slavery in the colonies. This condition became established under the common law of the several colonies, which was a local law, distinct in origin, authority, and extent from that national common law which was in each part of the empire the common measure of the personal rights of English-born subjects. The colonial governments appear to have exercised without question an unlimited control over the condition of such persons of the Indian and African races as were domiciled inhabitants of their several territories. Thus there were two systems of personal laws in the colonies: one affecting English colonists and their descendants, and one affecting domiciled Africans and Indians; but both rested upon like authority, and both were equally jural in their character.

In the sixth chapter Mr. Hurd gives an extended statement of the legislation of the colonies, setting forth each statute and its date, with ample references to original authorities. This digest is prepared with great care, and will be found extremely convenient for reference and consultation. An examination is then made of the principles of international law on the continent of Europe relating to freedom and bondage, and the conclusion is reached, that, at and before the date of the American Revolution, slavery had ceased to be recognized by the principles of universal jurisprudence, or the law of nations, and was not protected by the judicial tribunals of countries where it did not exist by local law. In this connection Mr. Hurd discusses the question how far the conversion of a heathen slave to Christianity affected his condition; and further inquires as to the right of transit for owners of slaves, and as to the rules of comity affecting the rights of the owner and the obligations of the slave.

The ninth chapter is principally devoted to an examination of Lord Mansfield's decision in Somerset's case. In Mr. Hurd's view, the decision was right, upon the principles of

private international law as then existing; but the reasons for it, as stated by Lord Mansfield, were not sound. It was an inconsistency to declare that the relation between the master and slave was unlawful in England, because contrary to natural justice, and at the same to admit that it was a legal relation in the colony. He also ignored the historical origin of negro slavery, when he declared it to rest upon statutes having a definite territorial extent in and for the plantations and the coast of Africa. Mr. Hurd thus states the true grounds on which the decision is sustained.

"According to the principles herein before assumed, the true statement of the international law involved in Somerset's case is this: — The *law of nations* — universal jurisprudence — as then recognized by European states, did not support his bond condition, whether it was chattel slavery or the bondage of a legal person. This condition had been created by the local law — *jus proprium* — of the colony in which he had been a domiciled inhabitant; whether he had there been held as a chattel, or as a person bound to service or labor, was immaterial. The law of the foreign jurisdiction — the colony — was to be taken to be *jural* — a law of right — in and for the colony: its consequences there were legal. But the law of England (except as comprehending the *law of nations* — universal jurisprudence — if it then supported the slavery of *heathen* negroes) attributed the right of personal liberty to all natural persons within its territorial jurisdiction, and enforced no dominion of one private person over another, except in the relations of the family, — relations arising out of primitive and remedial law, and in some local districts, certain relations founded on particular customary law. No relation of this kind existed between Somerset and his master. The law which attributed the so-called 'personal rights' to the inhabitants of English birth (except as modified by these relations) had a universal personal extent *in England*, which prevented the operation of the principle of comity, since there was no statute or international custom by which these general principles could be limited." — Vol. I. pp. 377, 378.

By the American Revolution a new sovereignty became established. Previously to this change, the sovereignty had been held by the local governments, so far as it had not been exercised by the central imperial government. The aggregate people of the thirteen Colonies had no recognized political functions. But the Revolution was the act of the people col-

lectively, and by it and through it the people of the United States assumed a national existence. Yet their corporate existence as the people of distinct States continued of necessity. The same integral nationality was manifested in the Revolution, in the Confederation, and in the Constitution. The powers assigned by the Constitution to the government of the United States are equally original and sovereign in the hands of a political unity, called the people of the United States, as the sovereign powers not so granted and not prohibited to the several States are original in the possession of the people of the several States; that is, the Constitution, as a political fact, is evidence of the investiture of certain sovereign national powers in the united people of the States, antecedently to the Constitution, as well as of the residue of sovereignty in the same people in their several condition of the people of distinct States. The power of the political people of the United States is independent of law and of the consent of individuals, and is unlimited or absolute in its nature.

The Constitution of the United States is of a twofold nature, being both evidence of fact and a rule of action; or, in other words, it is, first, a declaration of the location of sovereign power in the people of the United States as one, and in the people of the several States as separate polities; and, secondly, it is direct legislation, by the exercise of the sovereign powers held by the people of the United States as a political unity, taking the shape of either public or private law. Sovereignty is thus apportioned between the people of the United States and the people of the several States. In the determination of the law contained in the Constitution, the national judiciary is supreme, and for all private persons its decisions are the supreme criterion of law. But State sovereignty must be independent of judicial power, because it would be contradictory to say, that a State of the Union possesses sovereign powers as an independent State, if an external tribunal has the right to decide finally what those powers are.

In their local sovereignty, the States are to one another like independent nations. In the United States there are two classes of aliens: foreign aliens, who are aliens to the whole country, like Englishmen or Frenchmen, and domestic aliens,

who are aliens merely to the particular State sovereignty in which they may be found. Each State may deal with domestic aliens as it pleases, so far as its powers are not limited or controlled by the Constitution of the United States. The private international law of the United States may be divided into international law applied to domestic aliens, — those who, within the jurisdiction of a State, are alien to it, but not to the jurisdiction of the general government, — and international law applied to foreign aliens.

The Constitution of the United States partakes of the nature of a bill of rights, and comprises limitations on the powers of the national government, as well as on the powers reserved to the States. The *people* spoken of in that instrument was recognized by it as previously existing, with certain defined rights. The private law of the Colonies was not abrogated by the Revolution. The Declaration of Independence was not intended to operate as private law ; and if it were, the Congress issuing it had no power to affect the *status* of persons, or to alter the basis of private law affecting the rights and relations of private persons, as such. Political liberty, as a personal right, is not determined by the Constitution of the United States, but by the local law of the several States. The Constitution of the United States is not a bill of rights, as against the States. The common law, so called, is local, and not national, though it is incidental to the exposition of the written national law ; and consequently it is alterable by the States. The determination of the civil condition, or *status*, of natural persons, belongs to the States exclusively, and is not included under the national branch of powers. Thus it is for the States to determine what individuals shall constitute " the people," as spoken of in the Constitution. Herein there has been a change. The States have more power over *status* than the Colonies had ; for the common-law rights of Englishmen were established, by that law, for the white inhabitants, at least, of each Colony, by the imperial as well as the local sovereignty. In this connection, Mr. Hurd suggests, but declines to answer, a significant question. " Whether civil or social liberty has, in consequence of this political change, a better or a worse foundation in the present United States than in the former colonies of Great

Britain, is an inquiry which is not embraced in that legal view of the subject which is herein taken."

Under our system, there is an exercise, through appropriate tribunals, of judicial power by the national government and the States. But the limits of jurisdiction are not very accurately drawn, and in many things the national and State judiciaries have concurrent powers. State courts are often called upon to interpret and apply the Constitution of the United States and the laws made under it, and the national courts must sometimes do the like with State laws. But the national rule, when applied by State power, is local in territorial extent. The State judicial function is here subordinate to the national. The national judicial power cannot be vested in the judicial officers of a State. Mr. Hurd here lays down certain rules or tests by which judicial functions may be discriminated from ministerial.

In the sixteenth chapter, Mr. Hurd treats of the local municipal laws of the United States affecting conditions of freedom and its contraries, considered in connection with the principles of public and private law which have been stated in previous chapters. The corporate existence of the political people of a State is anterior to and independent of any law, and their possession of sovereignty is a fact above the national Constitution, and not under it. Political liberty in the States, regarded as a private right, depends altogether upon State law. State constitutions, like that of the United States, are both evidence of sovereignty and a rule of action. The States enjoy all the residuary powers not held by the national government. But these powers are limited and restrained, not merely by written constitutions, but by common-law principles and rules, which would have a restricting and controlling force in the absence of a written constitution, and are and must be referred to in the construction of such constitutions. Personal *status* depends on State power, except as restrained by the international provisions of the Constitution. The power of the national government in the Territories is like that of a State government in the States.

The power of Congress to determine whether slavery shall or shall not exist in a Territory of the United States was never

called in question till the decision of the Supreme Court in Dred Scott *vs.* Sandford, 19 Howard, 394. In this case it was held by the majority of the Court that Congress has no power to abolish or prohibit slavery in the Territories of the United States. The main ground of the decision was, that the clause in the Constitution of the United States which provides that "no person shall be deprived of life, liberty, or property, without due process of law," applies to slaves as property, or that, in reference to such guaranty, they are to be considered property. This particular point Mr. Hurd examines at some length, and with great acuteness. He shows that no principle for denying the power was supported by a majority of the Court, or by more than four of the judges. The Chief Justice, and Justices Wayne and Grier, adopting the opinion written by the Chief Justice, held that slaves are property by the national law, because rights of property in respect to them are specially recognized in the written Constitution, and also because slaves are property by common law, or an unwritten jurisprudence embraced in the national jurisprudence, independently of any specific recognition of slavery in the written Constitution. Mr. Justice Daniel appears to have relied exclusively on the clauses of the written Constitution referring to slaves. Mr. Justice Campbell and Mr. Justice Catron rested their conclusions on other grounds.

Mr. Hurd denies that, in the Constitution, slaves are referred to as property by local law, or that slaves are property under national law. The Constitution recognizes that certain natural persons have rights over certain other natural persons, and by the State law these latter may be property, and not legal persons; but it does not follow that the Constitution recognizes them as property. There is a distinction between rights supported by a law of national authority and rights supported by a law having national extent. If the Chief Justice be correct, it would follow that, in the clauses of the Constitution in question, slaves are regarded as property throughout the entire dominion of the United States. The question of the proper interpretation of these clauses Mr. Hurd postpones to a later portion of his work.

But, in a portion of the Chief Justice's opinion, the broader

ground seems to be relied on, that the slaveholder's right comes within the guaranty, because there is no difference between property in a slave and other property; or perhaps the doctrine held may be thus expressed, — that there is no distinction in law, or in the jurisprudence which may be applied by the national judiciary, between rights *of property in respect to slaves* and rights in respect to *slaves as property*. This argument Mr. Hurd meets by an application of the doctrines laid down in a former part of his work. The meaning of the word "property," as used in the Constitution, is to be ascertained by known and recognized rules of interpretation; and, in inquiring whether it means or may mean property in slaves, we must inquire whether such property is now, or was at the time of the adoption of the Constitution, sanctioned and enforced by the universal jurisprudence of all juridical nations, or a law of nations; and both these questions must be answered in the negative. Property in human beings is not now, was not then, known to universal jurisprudence. It rests upon local common law, and not upon national common law. For many years before the Revolution, the condition of an American-born negro held in involuntary servitude, whether chattel slave or bond person, and the correspondent rights of the master or owner, rested exclusively on the local law — *jus proprium* — of some one Colony, and were not internationally recognized, in the several parts of the empire, as effects of universal jurisprudence. Mr. Hurd also examines the doctrines of a speech made by Senator Benjamin in the Kansas debate.

In this connection Mr. Hurd touches upon the confusion arising from want of precision in terms. Thus, the phrase "positive law" is sometimes used, and correctly used, to designate any rule which is made coercive by a state, and thus distinguishable from natural equity or natural justice; but it is also sometimes used to designate statute law, or positive legislation, as distinguished from customary or unwritten law. So, too, jurists sometimes confound their own ideas of right with the conception of right furnished by the juridical history of the world, and, instead of assuming that certain principles are founded in natural reason because of their universal recog-

nition, they reverse the process, and hold that certain principles ought to be generally received because conformable to their individual natural reason, — in other words, that a rule is not right because it is universal, but that, because it is right, it ought to be universal.

In the concluding portions of the sixteenth chapter, Mr. Hurd presents some ingenious and original views in illustration of the inconsistency in denying to Congress a legislative power over slavery in the Territories.

The seventeenth, eighteenth, and nineteenth chapters, comprising the first two hundred and eighteen pages of the second volume, are occupied with an historical or chronological abstract of the various legislative enactments in and for the several States and Territories of the United States, affecting personal condition or *status*, being a continuation of the abstract of the colonial laws having like effect, which was given in the sixth chapter. In this is also included a notice of those provisions of the several State constitutions which affect this topic of private law. This abstract, like that of the colonial legislation, is very carefully prepared, and contains the results of much patient and intelligent toil.

In his twentieth chapter Mr. Hurd resumes the thread of his exposition, and partly restates and recapitulates the principles previously laid down, treating of the conditions under which private international law may exist in the United States. There are two political sources of the law prevailing in each State, one national and one local; and every person within the limits of the United States, while he remains everywhere under the same national law, is always also under some particular or local subjection to a law proceeding from a State or local authority. Thus, as before said, aliens are of two classes, — foreign and domestic. The condition of all natural persons is primarily determined by the judicial will of the State, and international private law in each State rests on its several power. But an exception may have been created by provisions in the Constitution of the United States to the exercise of State power over aliens. According to Mr. Hurd's view of the nature of the Constitution, every provision contained in it which declares the rights and obligations of pri-

vate persons, is of itself sufficient to give legal existence to those rights and obligations in the relation which they constitute; but if the Constitution is to be considered the formulary of a federal compact between States, then these provisions would have the character of public international law only, resembling ordinary international treaties or compacts. But under either theory there is place for international private law, because these clauses recognize the fact that there are certain powers of sovereignty vested in the States, which, except as by these clauses limited, are exercised independently, and affect the condition and relations of all persons within each State, as by its own local law. So far as the relations of foreign alien persons are not fixed by any provisions in the Constitution, the private international law determines their condition under the national or State jurisdiction respectively, only through its recognition and allowance by the government of the United States, or by the several States individually; and wherever the relations of domestic aliens are undetermined by the Constitution, or by the legislation of Congress under it, they are determined by international law, as received and allowed by the source of the municipal (local) law therein. The rules regulating such relations may be drawn from a general international private law, founded on custom. The judicial allowance of any rules or maxims to have international effect in any particular case where specific legislation does not apply, is to be settled on this, among other considerations, — that a change of sovereignty abrogates in any State only those laws which are inconsistent with the new sovereignty. Hence, what was received as private international law between the Colonies would have the same effect now, unless changed by positive legislation; and thus the general principles illustrated in the customary jurisprudence of the Colonies, together with the constitutional provisions and the legislation of Congress and of the several States, having either international or *quasi* international effect, constitute the private international law of the United States. According to the various extent of the powers held by the national government and the States, this international law will be either national or local law. But in its application

to persons, it may also be distinguished as either domestic international law, or foreign international law. The former is earlier in the order of historical development than the latter, and in the natural order its exposition precedes that of the latter. It has two principal divisions: the first, that law which, though international by the character of the persons to whom it applies, is identified in its source and authority with the national municipal law, and is found either in the Constitution itself, operating as private law, or in the legislation of Congress under the Constitution; and the second, that which, though international by the character of the persons to whom it applies, is identified in authority with some local municipal (State) law.

The clauses in the Constitution which have the effect of private international law for the several States, by limiting or extending the operation of their respective local laws, are those contained in the first and second sections of the Fourth Article, as follows: —

"SECTION I. 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof."

"SECTION II. 1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

"2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

"3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

These provisions will be considered principally in their effect upon relations of private persons, in which those rights and obligations are involved which enter into the condition of freedom and its contraries. These provisions are inter-

national in their effect, but though they rest for their authority upon the same political power as other provisions of the Constitution do, there may be some doubts as to the persons who are the immediate subjects of the law which they contain, — whether the States, in their political personality, are subjects of the relation created by them, or whether, like other provisions of the Constitution, they operate on natural persons within the limits of the United States independently of the powers vested in the States severally, and are a law within each State by resting on the national authority of the United States, irrespectively of the juridical action of the States as separate polities. Mr. Hurd indicates four different views which may be taken of these provisions, involving different conceptions of their practical operation on the relations of private persons. According to the first of these, the clauses under discussion have only the force of a compact between the States, and the States alone are charged with the duty of giving them practical effect. The other three constructions agree in attributing to these clauses the force of law in the strict and proper sense, but they differ in respect to the persons who are taken to be bound by them. But it does not follow, from the juxtaposition of these clauses in the Constitution, or from their all having an international effect, that a similar construction should be given to each one of them. So, too, their character as public law, or their connection with the possessors of the sovereign power in the United States, may be distinguished from their purpose and object as private law, or their effect upon private persons, inasmuch as, under any view of their construction, the intended effect upon the legal condition of private persons must be supposed to be the same. The question whether the States or private persons are the subjects of the rights which each provision creates may be conveniently postponed to that of the application of such provision as private law, and to the determination of the rights and obligations of private persons under it so far as they may be connected with the conditions of freedom and of bondage. Whatever their legal force and operation may be, such provisions are subject to the rules of construction and interpretation which would apply to international agreements. To

ascertain their effect on the relations of private persons, reference must be had to the anterior juridical action of the constituent parties in the determination of relations arising under the same or parallel circumstances; that is, to the international private law of the colonial period and the periods of the Revolution and the Confederation, comprising the municipal law of the whole empire, and that rule of imperfect authority which prevailed among various jurisdictions, and rested within each upon its several local authority for its legal effect upon private persons.

In his twenty-second chapter, Mr. Hurd discusses the first section of the fourth article, the legislation of Congress in regard to it, and the judicial opinions in cases wherein the statutes of Congress have been relied on as determining the rights and obligations of private persons. The weight of judicial opinion seems to support the doctrine that legal operation or effect on the substantive rights of the parties is not involved in the received doctrine of the conclusiveness of judgments under the statute, though Mr. Hurd inclines to the opinion that, under the language of the Constitution, such effect might be given to the judgments of another State in the forum of jurisdiction.

In the twenty-third chapter, Mr. Hurd considers the meaning of the word "citizen," or rather of the phrase "citizens of each State," as used in the first paragraph of the second section of the fourth article, with special reference to the question whether a negro can be a citizen of the United States. The term *citizen* is susceptible of various shades of meaning. It is often used as equivalent to *subject*, or, in our country, to a native or naturalized subject having a domicile. It is in this sense that the word seems to be understood by Story and Kent, in their comments upon the clause in question. If this be the definition of the term, the meaning of the constitutional provision is obvious enough. But if citizenship indicates a condition of superior privilege, — if citizen means something more than subject, — then it must be inquired whether the persons to be regarded as "citizens of each State" are determined by the juridical will of the State of their domicile, or whether there is some national or common

standard for their recognition. To determine these questions, Mr. Hurd applies those historical rules and principles which are the guiding lights of his whole inquiry. To ascertain the meaning of any doubtful term in the Constitution, we must inquire how the term was previously used by the parties who made the Constitution; and the answer can be found only in the enunciation of law which had had international effect among the States and Colonies. Such law, whatever may have been its source or the authority on which it rested, must in a great degree have been identified with the international usage of all civilized nations. The use of terms by the constituent parties, in this branch of jurisprudence, is therefore in a great degree identified with the use of such terms in the general international law of civilized nations.

Mr. Hurd then shows historically, that, from the origin of the Roman law downward, there has been recognized in universal jurisprudence a distinction between natural persons, on the ground of their having or not having certain civic privileges; in other words, a distinction between citizen and subject. The most marked illustration is found in the personal distinction between the negro and Indian races and the European or white race, as affecting the possession of civil rights under the juridical power of civilized nations; but it is not the only one. The disabilities of persons of Hebrew race who adhered to their ancient creed, and of persons of the race called in English the Gypsy, have been maintained in the law of every European nation. Their *status* of civil disability may be said, from its general enforcement, to have been a doctrine of the *jus gentium* for those countries since the Christian era. Now, in any international compact the word *citizen* would have been held to mean only those persons who, at the time of entering into it, were citizens by universal jurisprudence, and such a rule would control the meaning of the word in the compact, even after one of the contracting parties had removed the civic disabilities previously existing. For instance, suppose that a state called Northland had made a treaty with another state called Southland, in which it was provided that the citizens of each should have certain privileges in the territory of the other, and at the date of the

treaty Jews were in both states laboring under such civic disabilities that they were not citizens; and suppose that, at a subsequent period, Northland by positive legislation had removed the civic disabilities under which Jews had formerly labored, and made them citizens; it would still be the duty of the courts of Northland to give to the word *citizen*, as used in the treaty, the meaning which it had borne by mutual recognition at the date of the treaty, and not that which had been given to it by the *jus proprium* of Northland.

Applying these principles to the case in hand, the conclusion is reached, that, in order to find the meaning of the term "citizens of each State," we must inquire whether the parties to that instrument, at and before the date of its adoption, held practically that all subjects were citizens, or whether they limited the rights of citizenship to a particular class; and this question is answered by the historical fact or statement, that negroes and Indians were not recognized as citizens by any rule of national authority and extent, that only free persons of the European or white race were so recognized, and that consequently the term must be so interpreted.

In some sense a citizen of a State is still a citizen of the United States. He is so in all those points wherein citizens and subjects are identical. He owes allegiance to the United States, and can claim its protection. So far as foreign nations are concerned, every citizen of a State is a citizen of the United States. In this view, a refusal by the State Department to grant passports to negroes would be the denial of an unquestioned right, if the applicant were a citizen of the State in which he lived.

In the twenty-fourth chapter, Mr. Hurd proceeds to consider what are the rights intended by the phrase "all privileges and immunities of citizens," as used in the second section of the fourth article of the Constitution. The question presents itself, whether the intended standard of these privileges and immunities depends on the law of the domicile of "the citizens of each State," or on the law of the State forum in which they appear as aliens, or whether some common criterion is here implied, and if so, how it is to be ascertained. Some of the judicial decisions upon this subject are exam-

ined, and from them it may be gathered that they reject the law of the State of the citizen's domicile as the standard of the privileges and immunities to be accorded to him in every other State. It seems, too, that they would find the standard rather in the rights enjoyed by citizens domiciled in the forum of jurisdiction, than in a national standard of privilege. But, in Mr. Hurd's opinion, the question can be determined only by construing the provision with reference to that international or quasi-international law which formerly prevailed as between the Colonies and States. The privileges and immunities of any of the inhabitants of the Colonies or other parts of the empire, or of the States before the Constitution, when appearing as domestic aliens in other parts of the empire or in other States, were not measured either by the law of their local domicile or by that of the Colony or State wherein they might be, but by the common law of the personal rights of inhabitants of England, which had a personal extent in all parts of the empire before the Revolution; consequently, the effect of this clause is to continue the pre-existing common law of the Colonies, so far as it contained a standard of the rights of citizens of one locality appearing as domestic aliens within another jurisdiction; although, by the Revolution, and the establishment of new forms of government, the privileges and immunities of citizenship in the case of domiciled inhabitants became altogether determinable by local law. If this be correct, it would follow that other rights and privileges, not included in this standard, might properly be denied in a State to the citizen of another State, even though they should be actually enjoyed by the residents within the forum of jurisdiction, and should be similar to those held by such citizen of another State in his place of domicile. This conclusion seems reconcilable with most of the judicial decisions, as well as with the language of Kent and Story.

The possible application of the provisions of this clause in all cases would open a wide range of inquiry; but Mr. Hurd confines himself to a consideration of the question whether it guarantees the rights of a slave-owner over his slave, in any case, in a non-slaveholding State. The courts of the non-slaveholding States have uniformly rejected any such claim, on

the ground that the law of the State in which the slave-owner may be found is the standard of the rights incident to citizenship. So far as the common law of England, operating as a personal law with national extent in the Colonies or the States, was the standard of these rights, it did not maintain the claim of a slave-owner. Nor was it maintained by the private international law prevailing in the Colonies or States before the adoption of the Constitution. Nor is it sustained by the doctrine of judicial comity, because comity is subject to legislative alteration, and the courts must, in applying the so-called rule of comity, declare the will of the State, and not their own. Long before the formation of the Constitution, the slavery of negroes had ceased to rest on universal jurisprudence, and was ascribable solely to the particular law — *jus proprium* — of some one Colony or State; and, even in the slaveholding Colonies or States, it is questionable whether the condition had not so essentially changed that the slave was no longer mere property, but a person owing service in a relation to another person. Certainly the slave is not now property by international law.

In the twenty-fifth chapter, Mr. Hurd discusses the meaning of the phrase "treason, felony, or other crime," as used in one of the sections of the fourth article of the Constitution in reference to fugitives from justice. There have been many instances in which this question has been considered by the chief executive officers of the State governments and their legal advisers, the Attorneys-General of the States, and it has been sometimes subjects of discussion in the State legislatures. Generally the cases have been those in which the Governors of slaveholding States have made requisitions on the Governors of non-slaveholding States for the delivery of fugitives charged with offences against the slave-code, and the claim has been denied, on the ground that such acts were not recognized as offences by the code of the State where the fugitive was found. But Mr. Hurd, admitting that this clause should be construed strictly, holds that it should be interpreted by rules applicable to international treaties or compacts, as well as by such as apply to legislative acts. Regarded as an international compact, the standard of the

interpretation of the words employed must be one common to the States as the constituent parties, and this standard must be found in the pre-existing law having international effect between the Colonies and States; and although at the date of the Constitution property in slaves had ceased to be supported by universal jurisprudence, yet it continued in nearly all the States as an effect of local law, and it must be presumed that the parties to an international compact continue to recognize the jural character of one another's laws. Before an international compact should be interpreted on the ground that the jural character of slavery in the slaveholding States had been denied by the non-slaveholding States, some positive declarations to that effect, anterior to, or contemporary with, the formation of the compact, should be shown; but, so far from there being any such declarations, the written and unwritten jurisprudence of the non-slaveholding States contains many recognitions of the validity of the slave laws of the slaveholding States; and even the Constitution itself contains some provisions which, as national private law, support, in certain circumstances, rights and obligations incident to slavery, and others which involve its recognition, as an effect of the local (internal) law, by the national government, in such States as may have adopted it or allowed it to continue. Upon these grounds, the refusal of the Executives of many of the non-slaveholding States to surrender fugitives charged with offences against laws peculiar to the *status* of slavery is opposed to the spirit of the Constitution; though, as Mr. Hurd says, "unless the solution of such controversies can be placed in the hands of the judiciary, it seems impossible to arrive at any definite rule in such cases."

In the twenty-fifth chapter, Mr. Hurd also considers the question who may be claimed under the term "held to service or labor," and says that there has never been any judicial doubt that it includes slaves as well as apprentices. The word "escaping" has almost uniformly been construed to exclude slaves who have been voluntarily brought by their masters into a non-slaveholding State.

In that portion of the second volume — being nearly one half — which is comprised between the twenty-sixth and

thirtieth chapters inclusive, Mr. Hurd discusses the constitutional provisions respecting fugitives from justice and fugitives from labor and service, the latter principally, and the former incidentally. He examines the legislation of Congress upon these points, and the various judicial opinions which have been called forth, directly and indirectly, by the so-called Fugitive Slave Laws of 1793 and 1850, as well as by the memorable Dred Scott case. Without undertaking to give an abstract of Mr. Hurd's discussion and analysis, we shall content ourselves with stating the conclusions at which he arrives.

He holds that these clauses of the Constitution have the character of private international law, and as such are binding upon all persons within the limits of the United States, irrespectively of any juridical action on the part of any State. They create a legal relation, in which the Governor of a State demandant, or a private claimant, is the subject of a right, and a private person, the fugitive from justice or from labor, is the subject of the obligation. As a consequence of this construction, it will follow that the demand or claim of such rights and the denial of such obligations will create cases such as are mentioned in the third article of the Constitution as within the judicial power of the United States, and such as are within the concurrent judicial power of the States, because the subject-matter is within the original jurisdiction of the States. It further follows, that these provisions of the Constitution may be enforced, independently of any legislation, by the ordinary courts of the United States and of the several States, having concurrent powers, the Supreme Court of the United States having the same power over the courts of the several States as in other cases where constitutional questions are involved.

But though the provisions of the Constitution are in themselves in the nature of a law, with a self-executing power, yet there is no reason why Congress should not legislate in aid of these provisions, so as to afford means and instruments for their more easy and speedy execution. Concurrent legislation might also be exercised by the several States. But such legislation, whether national or State, must always be such as to carry into effect the judicial power, whether of the United

States or of the separate States. Mr. Hurd applies these principles to the actual legislation of Congress, and especially to the Fugitive Slave Law, so called, of 1850, which he subjects to a long and searching analysis and examination. His conclusion is, that the law is unconstitutional on two grounds: first, because the action of the Commissioners in granting a certificate involves an exercise of the judicial power of the United States, and the Commissioners are not such judicial officers as are known to the Constitution; and secondly, because it violates the seventh article of the Amendments, in not allowing a determination by a jury of the issues arising on a claim for a fugitive from service. We omit an abstract of Mr. Hurd's reasoning on these points, not merely because so doing would expand our article to an unreasonable length, but also because it would give to it a flavor too strongly professional for the general readers to whom our pages are addressed; but we earnestly commend this portion of his work to the careful attention of those who are willing to prove all things, and hold fast to that which is true, and especially of lawyers and of men who are, or who aspire to be, engaged in public life. Whether Mr. Hurd's conclusions be assented to or not, it must be agreed by all, that nothing can exceed the thoroughness of his discussion, the fairness with which he states the propositions that he examines, and the conscientious loyalty to truth which is the guiding light of his mind. The course of his investigation leads him to examine several reported cases, among them Prigg *vs.* Pennsylvania, 16 Peters, 557; Sims's Case, 7 Cushing, 285; and Ableman *vs.* Booth, 3 Wisconsin, 1, and 21 Howard, 506.

Mr. Hurd states the provisions of such a law as, in his judgment, would have satisfied the other requirements of the Constitution, while it would also have carried out the purposes of the provision for delivery of fugitives from labor. He would have a preliminary hearing before commissioners or magistrates, who might have been empowered to act in these cases as the Commissioners are empowered to act. They might have been authorized to commit, arrest, detain, or keep the person claimed as a fugitive, who, being then in the custody of the United States, and not in that of the claimant individually,

should afterwards have been brought before some judicial officer capable of deciding the case in virtue of the judicial power of the United States, or of the concurrent power of some State, where the State might have consented to its exercise. The necessity of summary proceedings on these claims is generally based on the assumption that, in the non-slaveholding States, juries, whatever the evidence might be, would never or rarely find that the person claimed had escaped from service, being therein actuated by hostility towards the slaveholding States, or by opinions respecting the ethical character of the laws of those States, leading them to regard the provision of the Constitution as void in the forum of conscience. But supposing this to be true, the objection may be met by providing that the trial by jury shall be had in some other locality than the State in which the supposed fugitive is arrested, and by a law which should provide for a transfer, by public authority, of the supposed fugitive to the jurisdiction from which he is said to have escaped, and a hearing there before a jury, on a demand of either party.

From the analysis we have thus given of Mr. Hurd's book, imperfect as it has necessarily been, our readers will see how conspicuous its merits are, how wide a range of inquiry it covers, what patient research it shows, and what loyalty to truth has inspired it. Although we have indicated, as we went along, some of its marked characteristics, yet we feel that we shall not have done full justice to a most laborious student and conscientious inquirer, without indicating a little more distinctly some of the points wherein this treatise is entitled to claim a superiority over such others upon the same subject as have fallen under our notice. First of all, we think it remarkable for the distinctness and precision with which it states the origin and foundation of slavery, as a relation once recognized by universal jurisprudence, in opposition to the popular notion that it is the creature of positive law, understood in the sense of a legislative enactment. In this connection, Mr. Hurd's manly and vigorous criticism upon Lord Mansfield's judgment in Somerset's case is worthy of careful consideration. And as slavery was a relation, or *status*, of customary law, not created by legislation, but recognized by it as anterior

in point of time, so it was subject to a law of decay analogous to the law from which it derived its existence, and it gradually ceased to be a relation enforced by universal jurisprudence, but rested upon the *jus proprium*, the municipal law, of each state. Lord Mansfield did not establish, but he announced, the principle on which Somerset was entitled to his freedom. And whenever slavery ceased to be recognized by universal jurisprudence, or the law of nations, the question whether it should be maintained in any particular jurisdiction would depend upon the question whether it was consistent or inconsistent with the personal rights attributed to all subjects within the limits of that jurisdiction.

The Roman law was at one period exactly identical with universal jurisprudence, and it still forms a large part of the customary law of all civilized nations. Savigny has written a treatise which he calls "The Roman Law of To-day," — *System des Heutigen Römischen Rechts*. But the Roman law, or the *Corpus Juris Civilis* of Justinian, is of authority with us, or with any people, not because it is just, reasonable, or conformable to natural equity, but because the nations of the civilized world have accepted it as a juridical standard of right, in the absence of rules originating in their own legislative or judicial action. The Roman law is not generally received because it is right, but because it has been generally received it is to be presumed to be right. This doctrine is derived as a consequence from the broader proposition, that, in finding a rule of law, in cases where no rule originating in the several legislative or judicial action of the sovereign of the forum is ascertainable, a court is bound to recur to the action of other actual possessors of the juridical power of society, that is, to the jurisprudence of other states and nations, in preference to its own ideas of justice. When a judge's own standard of morality becomes the measure of juridical right, we have a rule as variable and uncertain as would be the Chancellor's *foot* for the measure so called, to borrow Selden's witty but unfair saying about equity.*

* The case of Deerfield *vs.* Arms, 17 Pick. 41, may be cited as an illustration of the vitality and enduring authority of the Roman law. An island had been formed by alluvial deposits in the bed of the Deerfield River, and the question was, how it

Mr. Hurd also puts the doctrine of comity upon clear and intelligible ground. The word *comity*, like *equity*, has both a popular and a technical sense. Most laymen, and not a few lawyers, understand by equity a system in which the rules of natural justice are applied to modify the rigor of the common law. But this is not a correct statement of the distinction. Equity differs from the common law in its forms and instruments, but not in its principles. The chancellor is as much bound by precedent as the common-law judge. So comity is popularly understood to have some sort of vague analogy to the rules of good-breeding and the usages of polite society, and it is supposed that we recognize the laws of another nation as we abstain from laughing at any little peculiarities of manner in a stranger whom we are entertaining at our table. But comity rests upon no such airy foundation, but upon a principle or law, which is, that every sovereignty is bound to recognize as jural a relation created by the will of another sovereignty, unless it be inconsistent with some right attributed to all natural persons within its territory. Comity depends upon the will of the state, and not of the tribunal which announces it; and where that will is in any authoritative way made known, the courts must conform to it, whether it agrees or not with their own ethical judgment.

In the method of the work Mr. Hurd begins with the statement of fundamental principles, or the derivation of legal rules by the method *a posteriori*, the historical method, as opposed to the adoption of principles *a priori*, with a view of arriving at certain results or foregone conclusions which are assumed to be ethically right. In his introductory chapters, he carefully discriminates between jurisprudence and political ethics. The former is the science of what the rule given or

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should be divided and apportioned among the riparian proprietors. The books of the common law supplied no rule for the case, as, owing to the physical geography of England, such questions had not arisen in regard to its rivers. But a rule was found in the civil law, and applied by the late Chief Justice Shaw, in a luminous and satisfactory judgment. The argument for the demandants was made, and the authorities from the civil law were supplied, by the late James C. Alvord, a bright light early quenched, whose private worth and professional promise are still freshly and affectionately remembered by those of his contemporaries who had the opportunity of observing and knowing them.

allowed by the state is; the latter is the science of what ought to be the rule. The rules of universal jurisprudence, in point of fact, conform to the ethical judgment of man; but their authority is derived, not from such conformity, but from the fact of their universality. To start with the natural conscience, and to say that a law is a principle of universal jurisprudence because it conforms to that conscience, — in other words, to seek the foundation of universal jurisprudence in one's own moral instincts, — is to reverse the natural order, and to substitute the deductive for the inductive method. So the arrangement of our author's materials is synthetic. He starts from fundamental principles, and follows the course of legal effects to a certain class of practical questions, instead of taking up certain concrete propositions and analyzing them, in order to show whether they are or are not founded on fundamental, admitted principles. Mr. Hurd treats slavery very much as De Tocqueville treats democracy. In the suits of Democracy *vs.* Monarchy, and Democracy *vs.* Aristocracy, De Tocqueville does not hold a brief for either plaintiff or defendant; but, to follow out the illustration, he is like a master in chancery, who reports upon a question submitted to him by the court. He finds a great country governed by democratic institutions, and carefully examines these institutions, their origin, their tendency, their advantages, and their dangers; but his own judgment as to the expediency or desirableness of democracy he keeps in abeyance. So Mr. Hurd finds the institution of slavery existing in a considerable portion of our country, and thoroughly examines it in its jural, and incidentally in its political, aspects and relations; but the ethical judgment to be passed upon it forms no part of his plan, and is resolutely kept out of view. To all that fervid anti-slavery zeal might urge, Mr. Hurd replies, or might reply, in the words of the great Cujacius: "Nihil hoc ad edictum Prætoris."

In his views of the nature of the Constitution, and of the distribution of the sum of sovereign powers between the national government and the States, Mr. Hurd belongs to the Federal school of interpretation and exposition, though the originality and independence of his mind forbid him to sub-

scribe unreservedly to the creed of any particular school or party. According to him, the Constitution derives its authority from the act of an integral people of the United States; and he denies the construction which makes it a compact between several pre-existing sovereignties. The aggregate people of the thirteen States, and not the thirteen States, made the Constitution, though, in making it, the people used the State organizations as convenient instruments, or machinery, in constructing their new political edifice. Hence the Constitution, so far as it is a rule of action, acts on natural persons only, and never on the States, as its subjects. The States have no international relations towards one another. The international law contained in the Constitution is private law, and *quasi*-international; and all other international law operating as between the States is private law, resting on State authority. It is not contemplated in the Constitution that the States should take any cognizance of one another.

The possession of sovereign power is always a question of fact, and to be determined historically. The Constitution is the evidence, and not the cause, of the distribution of the powers of an independent nationality between the people of the United States and the people of the several States. The present distribution of sovereign powers between an integral people of the United States and the people of the several States, is the continuation of the distribution which existed from the first settlement of the country. There was always a local sovereignty coexistent with, and, in the theory of the colonies, co-ordinate with, the imperial or national sovereignty. At the Revolution, the powers held by the imperial government passed, for the greater part, as matter of fact, by revolutionary devolution, not to the States severally, but to the integral people of the United States.

The people of the United States and the people of the several States are co-ordinates in the possession of the powers held by them respectively. There is no grant on either side. The national government has nothing to do with the States as such, and, except by the guaranty of a republican government, has nothing to do with the people of a State in their corporate capacity. If the people of the United States, the integral

people, were to assume the reserved powers of the States, or of any one State, the act would be revolutionary, like any other change in the location of sovereign power. The admission of a new State into the Union is an occurrence of the same nature: it is an autonomic development of sovereignty, and not an act taking place under law in the ordinary sense.

Upon the transfer of its powers from the imperial government to the integral people of the United States at the Revolution, an exception seems to have occurred in respect to certain rights of private persons which had been, to some undefined extent, under the imperial authority, since it appears that the States acquired exclusive power over the personal rights of all within their limits, except as restricted by those provisions of the Constitution in the first and second sections of the fourth article which affect persons within the States only as they may be domiciled inhabitants, or citizens, of another State, while the personal rights of the domiciled inhabitants are entirely dependent on the State power.*

In this connection, Mr. Hurd suggests a pertinent inquiry, — to which recent events in the history of the country, not anticipated when the inquiry was made, have given a peculiar and unexpected interest, — whether this difference between the present and the ante-Revolutionary distribution of power has not been, politically speaking, an injury to civil liberty, and whether it might not be better to have a certain portion of the powers held by each State over personal rights pass into the class of national powers. In the colonial period, the crown, or the imperial sovereignty, protected or might protect the subject against gross invasions of liberty or personal right by the colonial legislature or the colonial magistrate. It was a distant tribunal; its power was not to be set in motion upon light pretexts or for trivial causes; but it existed, and was held in reserve to be put in force when the occasion was grave and the stake weighty. The colonial subject, oppressed or threatened by local or provincial tyranny, might resort to the throne for protection or redress. But now the personal rights of the domiciled inhabitants of each State

* Vol. I. pp. 124–129, 483–485, 522, 523.

are under the exclusive control of that State. The President does not replace the King, nor Congress Parliament.

If events should ever verify Mr. Hurd's sagacity, and prove his suggestion to have a practical, and not merely a speculative importance, we must take refuge in the commonplace reflection, that political institutions, like all the works of man's hand, are imperfect, and that no political problem is more difficult than to combine an ample grant of power with perfect security against the abuse of that power. Do what you will, — arrange your checks and balances as you may, — the subject will sometimes be oppressed by the sovereign, whether the sovereignty reside in one or in many; but experience and observation show that power which is distributed among many is less likely to be abused than that which is held by one, and that majorities, though often capricious and unjust, are rarely vindictive and cruel.

In this connection, we may remark that there seems to be a general impression that the rights of private persons are secure in proportion to the smallness of the political integer on which they depend. The attachment shown to State Rights, so called, seems to be connected with this political instinct; as if liberty and property were of necessity safer when entirely dependent upon the will of the State, than they would be if they depended upon the will of the nation. Men love their town or city first, then their State, and lastly the nation. These instincts may be natural, but it may be doubted whether they are sound, and whether the smaller the body, and the greater the facility with which the law may be changed, the more danger there is of individual oppression. Passions are made intense by compression; and no tyranny is more galling than that which is limited in its sphere, local in its origin, and trivial in its cause.

We have had occasion to point out some of the practical applications of Mr. Hurd's speculations, in stating his views upon the constitutionality of the Fugitive Slave Law, and his comments upon the decision of the Supreme Court in the Dred Scott case; but there is yet another, and the most important of all. We refer to the question of slavery in the Territories, or, rather, the power of Congress over slavery in

the Territories, — the only question which the wisdom and patriotism of the country have not been able to solve, and which is the pretext, if not the cause, — the *causa sine qua non*, if not the *causa causans*, — of the deplorable civil war which is now desolating the land. Mr. Hurd's views on this question may be thus briefly stated. As slavery is not now supported by universal jurisprudence, but in every slaveholding country rests on the particular law — *jus proprium* — of such country, a slave is not property by any common law having national extent in the United States, and thus slave property is not protected by the Constitution, operating as a bill of rights against the legislative power of Congress or the Territorial government. Congress, consequently, has full power over the subject in the Territories. It may legislate to exclude slavery from all or any portion of the common domain of the nation. So may the Territorial legislature exclude it from its own Territory. Whether the power shall be exercised or not, is a question of expediency merely: there is no constitutional restriction.*

But suppose there is no legislation on the subject whatever, either by Congress or by the Territorial legislature, and a slaveholder should come into a Territory from a slaveholding State with a slave, what would be the relation between them? Would the *status* of slavery continue or not? This question would, in the absence of legislation national or local, be determinable by the judicial tribunals of the Territory, and would be determined by the application of that rule of comity which imposes a judicial obligation to recognize as jural, or rightful, a relation which exists by law, even by the law of another forum, when not incompatible with some universal attribution of rights and obligations by the law of the forum of jurisdiction. But slavery, or involuntary servitude, exists as a legal condition in fifteen of the States of the Union; it is recognized as such in the Constitution by the provision for the return of fugitive slaves; and this is sufficient to exclude the idea of any such universal attribution by the national law of the right of personal liberty in the Territories. Consequently,

* Vol. I. pp. 558–569.

the relation between master and slave, in the absence of legislation, should be judicially recognized in the Territories, and that, too, though the individual judge pronouncing upon the question might have the strongest objections to slavery on ethical grounds. The question is one of law, and not of ethics.* These views of Mr. Hurd are opposed, on the one hand, to those maintained in the opinion of Chief Justice Taney in the Dred Scott case, and, on the other hand, to the doctrine which gives to the proposition in the Declaration of Independence, that "all men are created equal," the force of positive law.

Our notice has insensibly stretched to an unreasonable length, and we must hasten to bring it to a close. Our readers will have observed that our purpose has been to tell them what manner of book Mr. Hurd has written, and not to entertain them with essays of our own upon any of the many topics suggested by it. We have read it with unqualified admiration and respect, and with general but not unqualified assent; but we have not delayed, as we went along, to discuss the points wherein we hesitated to agree with him. In our judgment, there is very little profit in arguing the issues which grow out of the question of American slavery, or rather African slavery in America, especially since the politics of the country have come to turn on these issues. Slavery is a subject on which the conclusions of the mind are determined by the passions, the emotions, or the conscience. Herein we are all more or less partisans; we cannot treat it dispassionately if we would, we would not if we could. Starting from the point that slavery is a wrong, a barbarism, an injustice, we have already, perhaps unconsciously, predetermined the legal and political aspects of the condition, although they are really independent alike of the ethical and the emotional judgment. Some of our opinions are forged upon the anvil of the understanding, others are cast in the furnace of the passions; opinions touching slavery are of the latter kind. Discussions upon it only serve to confirm the parties in the opinions they began with. An old member of the House

* Vol. II. pp. 180–185, 204–208, and notes to pp. 211, 218.

of Commons observed, that he had never known a debate upon a party question to change a vote. Upon a collateral and incidental subject a powerful speech may, and often does, produce a great effect. Macaulay's speech on Sergeant Talfourd's Copyright Bill is said to have changed the vote of the House; but not a vote was lost or won by all the learned research, the compact logic, the impassioned eloquence, that were lavished upon the Reform Bill or Catholic Emancipation. Of the many books and pamphlets which the fruitful subject of slavery has called forth, nearly all are the growth of a passionate conviction which seeks to justify itself, and thus have little other than rhetorical value. This work of Mr. Hurd's, and the well-known series of books of travel in the Slave States by Mr. Olmsted, are almost the only exceptions we can now recall. The former embodies the opinions of a dispassionate thinker; the latter, the observations of a dispassionate witness; and they have a kindred value on this account. In the court in which slavery issues are tried, judges and witnesses are few, but advocates many.

We have been the more anxious to give a full analysis and abstract of this remarkable work, from a conviction, not only that it will not be popular, in the common sense of the word, — the subject may alone account for this, — but that it will not be popular among that class to which it is especially addressed; in other words, that mere lawyers and mere politicians will shrink from the patient and continuous application of mind which Mr. Hurd's labors require for their full comprehension, and that his readers will be found only among statesmen and jurists, comprehending among these all, whatever their station or position may be, who desire to study legal and political questions from the point of view of the statesman and the jurist. And the limited audience which Mr. Hurd must expect to have is due not merely to his grave and unimpassioned treatment of his subject, but also to certain peculiarities of manner and style, which, though formal and not substantial, will repel all but resolute inquirers after truth, with minds accustomed to athletic exercise. Having praised the work so heartily for its essential merits, we can with the better conscience turn to those points

wherein it falls short of the high standard to which in others it attains.

Mr. Hurd's training, it is easy to see, has been exclusively speculative. Not only has he not had the experience of a statesman and law-maker, but we presume he has had but a moderate share of practice in his profession. The custom of solitary study has enforced a habit of mind naturally subtile, and of an almost morbid power in discriminating differences. He reminds us of those inquirers who are accustomed, as Bacon says, "upon every particular position or assertion to frame objections, and to these objections, solutions; which solutions were, for the most part, not confutations, but distinctions; whereas indeed the strength of all sciences is, as the strength of the old man's fagot, in the band"; — a sentence which happily points out an obvious peculiarity of Mr. Hurd's work. It abounds with what Bacon calls "vermiculate questions," which task the patience by their number and minuteness. He weighs grocer's wares in apothecary's scales. He has a mental vision analogous to the natural organ of the mosaic workers of Rome, who are said to distinguish fifteen thousand colors and shades of color. He is minute in his distinctions and microscopic in his glance, where the general mind wants short cuts and practical results. Read, for instance, his long, careful, and exhaustive discussion of the clause in the Constitution for the rendition of fugitive slaves, of the legislation of Congress in aid of its provisions, and the various decisions of the Supreme Court in exposition of it; it is impossible not to admire the thorough analysis, the nice discrimination, the patient comparison, the perfect loyalty to truth, which distinguish it; and yet, when we lay down the book, we say to ourselves, it is impossible to carry on government and society by rules and principles like these. The machinery is too fine for use. These are instruments too airy and delicate for the world's rough work. Life is too short, men are too busy, to pause for and insist upon a standard of ideal perfection. He shows how the clause in the Constitution might have been made effective without any legislation at all, as well as how Congress might have legislated in aid of it without infringing — as he maintains they have

— on the Constitution; but who is there that can, like him, walk over burning ploughshares, and not feel their heat? Who can examine the Fugitive Slave Law, and the clause in the Constitution out of which it grew, with his serene and unimpassioned glance? These questions are determined before they are discussed, and by considerations drawn from other regions of the world within us than those in which reason holds her impartial and imperial sway. The trying element in the Fugitive Slave Law is in its essence, and not in its details, — in what it does, and not in the manner of doing it. The slaveholder is entitled upon demand to have his fugitive slave returned to him; and provided this be done, what matters it whether it be done by the agency of a commissioner, a judge, or a jury? The law is unconstitutional because it is hateful, not hateful because it is unconstitutional. All the primary instincts of the human soul are on the side of the fugitive, and from the judicial reason alone we draw the arguments and considerations which bid us disobey the voice of these instincts. There is a truth involved in the now familiar phrase, "the higher law," though, as commonly put, it includes a logical inconsistency and a dangerous principle. There is a conflict, as old as humanity itself, between impulse and duty, between what we would do and what we ought to do; and never in civil society was this conflict organized on so great a scale, and with such forces on each side, as by the Fugitive Slave Law of 1850. The feeling in a large proportion of the free States in regard to it has become such, that the theoretical right of the master can be preserved only by carefully abstaining from the practical enforcement of it. Tried by this feeling, Mr. Hurd's ingenious, acute, and original expositions will seem a waste of intellectual power, lavished as it is upon questions on which fervid philanthropy and partisan zeal will brook no discussion and hear no argument. They remind us of that ingenious and elaborate convolution of cordage by which Ulysses attempted to secure a chest of treasure, which a touch of flame or steel would in a moment make useless.

This characteristic of Mr. Hurd's work, the result and expression of an innate quality of mind, is rather a peculiarity

than a defect. It imparts a certain flavor by which readers of a kindred taste may be rather attracted than repelled. But there are other elements which will lessen the number of its readers, and thus contract the sphere of its influence. We may express these in one word, by saying that the book is not a piece of skilful literary workmanship. It may be likened to a building in which the contractor has done better than the architect; so that the completed structure, in its disposition and arrangements, does no justice to the copiousness and value of the materials. Mr. Hurd is evidently not accustomed to writing for the public; we can easily see that he is thinking only of doing full justice to his theme, according to his own standard of justice, without asking himself how his labors will be received by others. This adds to the value of his work as an authority, but it makes it less attractive to the common mind. There is an awkwardness of manner about it like that of a shy scholar in a gay circle. There are occasional repetitions which might be pruned off, and a general process of compression might be judiciously applied.

Sir James Mackintosh, speaking of the ponderous work of Puffendorff, says: "In the time of Mr. Locke, it was considered the manual of those who were intended for active life; but in the present age I believe it will be found that men of business are too occupied, men of letters are too fastidious, and men of the world too indolent, for the study, or even the perusal, of such works." This was said sixty-four years ago, and in England; and, to say the least, it is quite as true in our own day and country as it was then and there. When you take away men of business, men of letters, and men of the world, there is not a large remnant left. It is not to be supposed that the light swarm which flutters round the flowers of a circulating library will be allured to a work like this; but we must say that it might have been made more attractive without losing any of its substantial worth. We have found it a very hard book; using *hard* in the sense in which schoolboys use it, and as Greek students apply it to Thucydides and Lycophron. It requires in every part the fixed and continuous attention of the unworn mind. The feeble forces of the intellectual voluptuary and the faculties that are exhausted

by professional toil are alike incapable of grappling with it. It abounds with passages which at first blush seem a tangled and impenetrable thicket of words, and it is only by patient continuance that we work our way through. We have before spoken of Mr. Hurd's deficiency in the power of illustration, and we advert to it again to express our wish that this faculty had been bestowed upon him. It might be too much to ask that his page should sparkle with the epigrammatic point of Montesquieu, or that he should have a combination, like that of Grotius, of profound juridical genius and the most exquisite scholarship; but if he could have borrowed the easy, gentlemanly pen of Blackstone, or written with the matchless grace and eloquence of Lord Stowell, his work would have taken its place among that rare class in which the results of deep thought and patient investigation are presented in a form which meets the requisitions of the most fastidious literary taste.

Mr. Hurd's style cannot be characterized by an epithet or two. Buffon's celebrated aphorism, that the style is the man, is so far true, that style is an expression of the character as well as of the mind. Style has moral as well as intellectual qualities. So far as the former are concerned, Mr. Hurd's style is excellent, and leaves upon the reader an impression of respect for the man as well as for the writer. It has no offensive airs of superiority; it has no dogmatism or flippancy; it preserves throughout the tone of grave earnestness which befits the subject. Mr. Hurd in his discussions uses neither sarcasm nor denunciation; he neither says nor insinuates that the conclusion against which he is arguing is the offspring of a bad heart or a corrupt conscience; he deals with judges and writers with whom he is compelled to differ as impersonally as if they were algebraic formulas. He contends for the truth as he holds it, and not for victory. His zeal is without bitterness; his ink is without gall.

Indeed, so far as style is the form of thought, Mr. Hurd's cannot be called a bad style. It is correct, grammatical, and free from offensive mannerisms. But, on the other hand, it cannot be called a distinctively good style. It lacks ease, grace, and compactness. In the art of constructing sentences

we miss the skill of the finished literary artist. His periods are apt to be too long and involved, — too heavily freighted with qualifications and limitations. His meaning sometimes eludes the grasp, from the very care he takes to state it with exact precision. The picture would have been better painted, if the painter had taken less pains. The language is so painfully elaborate, so conscientiously exact, that the mind becomes lost in a labyrinth of words, and the clew drops from its hold. There seems sometimes a sort of blur upon the page; the eye slides from one end of a paragraph to another, but the words roll off the mind like rain-drops from an India-rubber cloak. We wish that a work in so many respects admirable could have added to its other merits the charm of an attractive style; and we wish this, because we heartily desire that Mr. Hurd's labors should receive the meed of commendation which they so richly deserve. Style is more than the garb of thought, it is its body; and no book, however wise, weighty, and learned, can afford to be without a good style. Jeremy Bentham says of Blackstone's Commentaries, that it owes its reputation, in great measure, to what he not very happily calls "the enchanting harmony of its numbers," and adds, "So much is man governed by the ear." We are, indeed, all captives to the ear; the grave and the reflective, as well as the gay and the frivolous. Nonsense itself, if it be only resonant and smooth, obtains a certain currency, and passes for something fine. Dust over-gilded circulates more readily than gold over-dusted.

Mr. Hurd has doubtless philosophy enough to bear with equanimity that a work into which he has put so much thought and labor should create but little sensation, and leave hardly a ripple upon the surface of the great stream into which it is thrown. He has written a book which is not for to-day or to-morrow, but — we say it as no mere rhetorical flourish — for all time; that is, it fairly exhausts the subject of which it treats, as that subject stands to-day, and leaves nothing more to be said about it. It thus can never become obsolete. As we cannot conceive of a man's writing a treatise upon political economy without studying Smith's "Wealth of Nations," or upon peace and war without mas-

tering Grotius, so any man who shall hereafter write upon American slavery without having comprehended this book of Mr. Hurd's will prove by this omission alone that he has not qualified himself for his task. Time, who is perpetually sweeping into his wallet the ephemeral pamphlets that buzz, sting, or glitter through their little day, will spare the enduring substance of this work. He has not lived in vain who has done thus much.

We cannot bring this long article to a close without a renewed expression of our respect alike for what Mr. Hurd has accomplished and for the spirit in which he has labored. If mankind were arranged according to the motives which animate them, the result would be a kind of pyramidal structure, narrowing as we ascend. Most men are wooers of fortune: with them the acquisition of property is the be-all and end-all of life. These form the lowest course of the pyramid, the widest in extent, and the least removed from earth. Higher up is a smaller class, who are enamoured of fame and glory, whose inspiration is the breath of popular applause, to whom oblivion is annihilation, who are ready to pour out their life-blood if it will only keep green the laurel that blooms over their grave. These are swayed by a nobler passion than the love of gain, but yet not the noblest. Highest of all, noblest of all, nearest to heaven, are the few who are moved by the love of truth. They dwell not merely above the smoke and dust of earth, but above that middle region of the air where tempests rage, and meteors glance and play, and clouds break and re-unite their airy files, marshalled by the restless wind. Theirs is an ampler ether, a diviner air, a purer sunshine. Poverty and neglect may be their portion; recognition, if it come at all, may come too late to be of any value; the crown that was woven for the brow may be laid upon the coffin; but they shall not fail of their reward. Fame and Fortune are beautiful, but capricious mistresses; their smiles are dazzling, but their frowns are terrible, and these smiles and frowns are not distributed according to desert; but the countenance of Truth is never averted from those who woo her in sincerity of heart, and they who have once looked upon her serene and spiritual beauty will not sigh for lighter

graces or more voluptuous charms. They who dedicate themselves to her service miss the glittering hopes, the dizzy tumults, the wild raptures, which stir the blood of those who aspire to the prizes of wealth and fame; but they miss, too, the cruel disappointments, the crushing reverses, the sad satieties, which are the sable lining of the silver cloud. Truth never betrays the hearts that trust her; she does not promise them place, renown, wealth, or title, but she promises them herself, and she never fails to keep her word. Theirs is the sunshine of contentment and the air of peace. They escape the feverish struggles, the gnawing anxieties, the wasting cares, that furrow the brow, hollow the cheek, and corrode the heart. If their youth be attended by no splendid visions, if their manhood be passed in no stormy struggles, their age is like the long, silvery twilight of a northern summer, which preserves to the last some portion of the morning light. And among those few who, in their early prime, with deliberate purpose and in singleness of heart, have turned aside from the "broad way and the green," and sought the "bright countenance of Truth in the quiet and still air of delightful studies," the author of the work we have noticed is entitled to be classed.

ART. IX. — *The Works of* RUFUS CHOATE, *with a Memoir of his Life.* By SAMUEL GILMAN BROWN, Professor in Dartmouth College. In two volumes. Boston: Little, Brown, and Company. 1862. pp. 558, 523.

IT is not a little matter, in this the day of famous mediocrity, to say of a man that it is fit that his biography should be written, — not merely that his public career should be described, because coinciding more or less with, and apt to illustrate, the course of the political, literary, or other history of his time and neighborhood, but that his own life, the story of his own mind and character, of his own labors, studies, hopes, ambitions, trials, and triumphs, should be recorded with the memorabilia of his generation, as a lesson and a

delight to those who come after him. This we take to be pure biography. Of this not much has been written; and not much of what has been written has signally benefited the world. It may be true, in a general, proverbial way, that there is instruction in the life of almost any man, if we could have it exactly and faithfully related to us; but there are few men in a generation whose personal, interior history it is really worth the world's while so to mark and learn. Mr. Choate was one of these few. He had contemporaries who were more in the public eye and upon the public tongue than he; who had more to do with "making history," for better or worse, than he; and whose biographies, therefore, as threads to string a narrative of public events upon, might be more useful or convenient than his. But, take it in all its relations and aspects, his was a life so abounding in material for curious and instructive study, his was an intellectual and moral constitution so rare and yet so complete, so thoroughly individual and yet so comprehensive, that his biography, rightly so called, attracts and repays our interest in a greater degree, certainly in a higher mode, than would that of almost any other of the more or less conspicuous men of his time. We speak of him now in those respects in which the public observe and judge eminent persons. To those of us who knew him, — whose love followed him daily here at home, where his look and voice, his words of wit and wisdom, his manly gentleness of behavior, his honor, modesty, loyalty to friendship and to duty, made part of our own enjoyment of life, and are still fresh in our affectionate recollection, — what biography can give a better knowledge of the man, or be needed to fix and invigorate our regard for his memory? It is not to those who so knew him that any biographer or reviewer is required to speak.

Few, however, so knew him. And outside of this limited circle, just such extravagant and incongruous notions are now found to be afloat as might be expected in the case of a man so precisely fitted at once to attract and to baffle the speculations of the curious. Naturally enough, those characteristics of Mr. Choate which were of a kind to catch the notice of the unthinking and unobserving crowd — not, strictly speaking,

characteristics at all, but rather mere oddities of speech or manner, perhaps indulged with something like a willingness that they should occupy men's speech, and leave, as the old phrase is, "himself to himself" — have, by frequent and exaggerated recital, come to constitute the popular estimate of the man. Reminiscences of this superficial sort have filled the ears of the community to such a degree that a sensible difficulty is interposed in the way of his biographer. No account of Mr. Choate which reduces these mere accidents to their just obscurity and subordination can be entirely acceptable to popular criticism. Perhaps, indeed, no proper biography of him can be so. It is not reasonable to expect that such a man should be commonly understood, no matter how faithful the interpretation of his mind and character may be. Caricatures, rude outlines, are pretty sure to amuse and satisfy the general reader; a complete picture would perhaps confuse and weary him.

The biography of Mr. Choate must properly be addressed to men of refined and cultivated minds, of scholarly taste, judgment, and temper; for such eminently he was himself, and by such alone can any true sketch of his life and character be rightly apprehended and enjoyed. Critics who are fit will be few. This present Memoir, therefore, will not hit the popular fancy as would a superficial and consequently worthless sketch. In so far as it is sober, discriminating, and just, it will be accepted as a satisfactory delineation of a "rare, noteworthy object"; only it must make its way somewhat slowly to the general acceptation, as the misty extravagances which have occupied the public mind in regard to its subject are slowly dispelled.

Not the least of those particulars in which the biographer of Mr. Choate is at some practical disadvantage may be the fact that he was a man of "secrecy in habit," — that which Bacon declares to be part of "the best composition and temperature." Of marked "openness in fame and opinion," of social disposition and genial demeanor, he was shy and reserved in regard to himself, rarely permitting, never inviting, discussions of himself. His life was as recluse as the nature of his profession permitted; not that he desired concealment,

but that he enjoyed privacy. Nor does he seem to have been addicted to the practice of very general letter-writing. The glimpse we get of his correspondence in the Memoir, while it throws a charming light upon his character, shows him, we think, to have been not a man characteristically disposed in that way. Without meaning to be uncharitable to others, while we are just to him, let us say that from the restless egotism which drives so many men into writing long letters about themselves and their opinions, observations, and experiences, Mr. Choate was quite free. We know of no man of his time from whom readers of culture and sensibility would more gladly or more profitably have received such self-revelations; but it was not his way to give them. We think it fair to recognize his biographer's lack of this very obvious and convenient means of biographical delineation.

The deficiency is in part supplied by what we may say, without depreciation of aught else in the Memoir, is by far, to ourselves, the most interesting part of its contents. We refer to the "fragments of journals" which were kept by Mr. Choate, in a rather irregular way, from time to time, and which now first see the light. With excellent judgment, his biographer has introduced, in the course of the Memoir, all that can now be recovered of these singularly interesting papers. They appear to have been commenced in 1843, and continued, with lengthening intermissions, down to 1850, — thus covering the period which was perhaps more than any other of his life occupied with constant, various, and fruitful labor, and for which such autobiographical records, enabling us to observe his methods of study, and listen to his charming library soliloquies, are particularly welcome. In 1850 he visited Europe; and a separate journal of his visit, continuous as far as it goes, is given *in extenso* in the Memoir. We shall have occasion, by and by, to refer to certain passages from both records. For the present, we mention them in a general way only, as a very valuable part of the material at the biographer's command.

The task which Professor Brown undertook in writing this Memoir, and which we have already shown to be one of no ordinary difficulty, he has certainly performed with very good

success. He is evidently a man admirably fitted to be Mr. Choate's biographer. His book shows refined and generous feeling, with scholarship and judgment, and is written in a graceful and effective style. He evinces also a very gratifying discrimination in selecting for publication such reminiscences only of Mr. Choate as really tend to illustrate his essential characteristics, and does not overload his pages and darken his subject by random narrative of matters which, though sufficiently entertaining, are not significant. He writes with a geniality which shows the subsistence of a warm friendship with Mr. Choate while he lived, and a good degree of appreciation of his extraordinary intellectual powers, and even more extraordinary moral organization. Upon the whole, the biographer has laid us all under much obligation for so judicious and skilful an execution of his task, no less than for the generous loyalty to the memory of his distinguished friend, which prompted him to undertake it.

The account of Mr. Choate's childhood and early youth, from his birth in 1799, to his admission to the bar at the age of twenty-four, is brief, but perhaps sufficient. He was born in what was then the district of Chebacco, now the town of Essex, in the Commonwealth which was destined to be the province of his most distinguished labors, as it was the object of his lifelong attachment and veneration. The stanch Massachusetts stock from which he was descended, the associations of the old homestead upon the shores of Massachusetts Bay, where his earliest years were passed, the inveterate and traditional modes of old-fashioned Massachusetts life in which he was reared, all combined to fix that affection early and deeply in his character. At Dartmouth College, which he entered in his sixteenth year, he was, as we might well expect to find, *facile princeps* in classical study, and gave full promise, and more than promise, of the extraordinary devotion to, and aptness for, intellectual labor, by which he was afterwards distinguished. It was during his residence at Dartmouth that the controversy arose between the State of New Hampshire and the College, which is now familiar to the legal profession as the occasion of one of our "celebrated causes." It seems that to the absorbing interest which that

case excited, in its double relations to the law and the letters of the country, and the distinguished display of professional talent which it evoked, we are to attribute his first decided inclination to the study of the law. It is pleasant to record the felicitous fortune which assigned to an institution, thus distinguished for its successful invocation of the law of the country to the support of its chartered seminaries of learning, the collegiate training of one who was destined to combine in his own life so remarkably the accomplishments of the advocate and the scholar.

Mr. Choate closed his college course in 1819, and, after spending one year as tutor at Dartmouth, — "a year to him, and almost equally to his pupils, all sunshine," — entered upon the study of his profession. He pursued it successively at the Cambridge Law School, at Washington in the office of Mr. Wirt, then Attorney-General of the United States, and at Ipswich and Salem, in the offices of gentlemen of the Essex bar. He first put up his sign as a practising attorney in Salem. It remained there "but one night, when his natural modesty or self-distrust led him to move it to Danvers, a little farther from the courts and from direct rivalry with the eminent lawyers who engrossed the business and controlled the opinions of that distinguished bar." While residing at Danvers, Mr. Choate sat twice in the Massachusetts House of Representatives, and once in the Senate. In 1828 he removed to Salem, where, at a bar crowded with men then and since distinguished for professional ability and learning, he rose at once to a high position. We learn from the Memoir, that at this period he was engaged with the government in the celebrated trial of Knapp for the murder of Captain Joseph White, although his name does not appear in the record of the case. In 1831 he went to Congress as the successful candidate of the "National Republicans" from the district of Essex South; he was re-elected by an increased majority in 1833, and resigned his seat at the close of the first session to establish himself in Boston. To complete the mere matter of chronology, we note that it was in 1841 that he was chosen by the Legislature of Massachusetts United States Senator for the unexpired term of Mr. Webster, who

had gone into the State Department; and in 1845, having completed his service in the Senate, he returned to the regular practice of his profession, and went no more into public life.

Let us here say, that it is not our purpose to attempt in these pages any complete delineation of Mr. Choate's characteristics. If such attempt were successful, it would confer nothing upon the reader which the Memoir does not give him; and if unsuccessful, it would do harm where quite enough harm has been done already. We propose only to note some particulars which are especially noteworthy in view of their treatment in the Memoir itself.

It will probably not be disputed, that, in the sum and combination of the qualities which go to make up an advocate of the highest order, Mr. Choate never had a superior, if he ever had an equal, at the American bar. We say, in the sum and combination of these qualities, for we should by no means claim for him pre-eminence in each. Comparisons will occur to our professional readers, in some one or other of these particulars, between Mr. Choate and some one or other of his predecessors or contemporaries, which it is fair to make, although quite unprofitable to discuss. But in claiming for him that he possessed in a very remarkable, if not in our own history an unexampled degree, the manifold aptitudes and accomplishments, taken together, which an advocate should possess, we ascribe to him certainly a professional character of the rarest distinction.

The professional reader will understand, what laymen do not always understand, how many duties are comprehended in the office of an advocate, besides the mere address to the court or the jury; but it is more to our purpose to insist here upon the various qualities, intellectual and moral, which his office demands. It is not an uncommon impression outside of the bar, — if, unhappily, we may not say within it, too, — that, with fluent speech, ready wit, tact, ingenuity, memory, and attention, and a quantum, perhaps a modicum, of law, all the essential duties of this profession may be well enough performed. So fixed is this impression, that, while it is common to speak of such a one as a brilliant, or a clever, or an eloquent advocate, it seems almost a misapplication of the

word to speak of a *great* advocate. Now, beyond question, very many who swell the general tribute of admiration of Mr. Choate in this character have no better reason for it than that they suppose him to have possessed the qualities we have enumerated, or some of them, in a superlative degree. Thus has his reputation, and through it the reputation of the profession which he so loved and adorned, been made to suffer from the mere grossness of the popular sentiment in the very matter with respect to which it applauded him. But Mr. Choate himself, as his companions at the bar can testify from their own knowledge of him, entertained a conception of his part and duty as an advocate far higher than that of which we have been complaining. He magnified his office. For the science of the law, which as an advocate he was called upon to apply to the affairs of men, he cherished a sincere and profound veneration. Yet more. The general system of the judicial determination of controversies, the art, so to speak, which the science of the law guides, informs, and instructs, and by which it acts daily and directly through courts of justice upon the citizens of the state, in all their infinitely varied relations, moral and economical, we believe Mr. Choate regarded first and foremost as the grand human instrumentality for conserving and advancing the best interests of society.

No meaner sentiment than this, we believe, lay at the foundation of his professional character. Out of it there sprang principles which strongly and constantly marked his professional life. His respect for the bench was not merely the instinctive deference of a conservative disposition as to constituted authority, nor the natural jealousy of a sensitive and refined mind for the decorum of the court-room where his days were passed; but it was, if we mistake him not, the particular expression, in act, of a profound and controlling sentiment of veneration for the law which the bench represented. Something even of the same kind seemed to underlie his well-known courtesy and knightly bearing towards his companions at the bar, — as if he never forgot how worthy an allegiance it was that he and his antagonist both owed, after all, to the law, whose subjects and soldiers both were. But particularly

we wish to note that this sentiment of veneration for the law as a civil institution, early fixed and incorporated in his professional character, gave a quality to his special training and practice as an advocate which necessarily, and as a matter of fact, raised him in that respect above the traditional and far too common type. To take up a controversy arising under the laws of his country or his State, and carry it through her courts of justice according to their due and orderly methods of administration, and with the thorough and disciplined use of their instrumentalities, was a matter which not only engaged his best powers, but put him upon his responsibility to his profession. He discharged his duties as an advocate under a constant sense of the dignity of his character as a member of that profession. In his hands it was not (to quote Gibbon's expression, applied to the practice of the Roman advocates under the empire) a "sordid and pernicious trade," but a liberal profession, prosecuted in a liberal spirit, and advanced and adorned by all liberal culture. He labored to succeed in this or that professional undertaking, not for the pecuniary rewards of success, not for the gratification of triumph over others, but because each undertaking was a *work* which he owed it to his professional character to perform as well as possible.

The Memoir before us abounds in evidence and illustration of that characteristic of Mr. Choate to which we have referred. We extract a few passages from the "fragments of journals," where, as we have before observed, a more intimate knowledge of the man will be afforded to the reader than was attained by his most intimate acquaintances while he lived, and from which we should be glad to make more ample quotations, did our space permit.

"There is a pleasure beyond expression in revising, rearranging, and extending my knowledge of the law. The effort to do so is imperatively prescribed by the necessities and proprieties of my circumstances; but it is a delightful effort. I record some of the uses to which I try to make it subservient, and some of the methods on which I conduct it. My first business is obviously to apprehend the exact point of each new case which I study, — to apprehend and to enunciate it precisely, — neither too largely nor too narrowly, — accurately,

justly. . . . . This done, I arrange the new truth, or old truth, or whatever it may be, in a system of legal arrangement. . . . . Then I advance to the question of the *law* of the new decision, — its conformity with standards of legal truth, — with the statute it interprets; the cases on which it reposes; the principles by which it is defended by the court, — the *law*, — the question whether the case is law or not. This leads to a history of the point; a review of the adjudications; a comparison of the judgment and argument with the criteria of legal truth. . . . . .

"I seem to myself to think it is within my competence to be master of the law, as an administrative science. . . . . .

"A charm of the study of law is the sensation of advance, of certainty, of 'having apprehended,' or being in a progression towards a complete apprehension of *a distinct department and body of knowledge*. . . . . .

"To my profession, *totis viribus*, I am now dedicated, — to my profession of the law and of advocacy, with as large and fair an accompaniment of manly and graceful studies as I can command." — Vol. I. pp. 87 – 89.

Here we have the private meditations of a mind evidently animated by no common spirit of respect for the professional offices which it had to perform. We will also, and particularly, refer the reader to Mr. Choate's speech in the Massachusetts Constitutional Convention, upon the subject of the judicial tenure, as containing a capital exhibition of the same loyal spirit of devotion to his profession in its highest aspects. We are particularly glad, by the way, to perceive that this speech is preserved in Professor Brown's collection. To our mind, it shows more of Mr. Choate's true professional character and sentiment, as well as the variety of his oratorical power, than any other which we can recall.

It is not unadvisedly that we have confined ourselves, in speaking of him as a professional man, to his qualities and powers as an advocate. He himself, as we just saw, speaks of his profession as "the law *and advocacy*." For, in fact, advocacy is the crowning act of the lawyer's profession; it is the concentration and the summing up of his studies and labors; by it, or through it, the foundations of the law, as the one great social science, were laid, and the details of its ever growing but ever symmetrical structure are elaborated. It is the energy of the law. All else in the law is its product

merely. In advocacy, the bar and the court act together to determine and settle the manifold and infinitely ramifying questions, upon the solution of which the order of civil life depends. If it can be called a part only of the work of the legal profession, it is certainly that part through which, as through the trunk of a tree, the life and vigor of the other parts are derived. And so, in the expression of the fact that Mr. Choate was a great advocate, let it not be supposed that there is an implied exclusion of this or that professional accomplishment. It is, at any rate, certain that Mr. Choate, in dedicating himself "*totis viribus* to the law and advocacy," asserted a purpose which, as he understood it, exacted the profoundest and broadest study, and satisfied the most generous ambition, within the compass of professional life.

We must not linger, as we would gladly, to speak of the particular traits in his professional character, such as commanded always the cordial respect of the bench, and secured for him the constant and affectionate attachment of his companions at the bar. It would be but needless repetition of the emphatic expression of sentiment which, upon the news of his death, came so warmly and promptly from both the bench and the bar. From the commemorative addresses which were then made among his recent professional associates, and some of which are inserted in the Memoir, the reader will learn, as well as any address or writing can tell him, what it was in Mr. Choate's professional character for which they so much loved and honored him.

From the "Fragments of Journals" inserted in the Memoir we get his own account of what we cannot pass here without particular mention, — his habits of study, as bearing upon his profession of "the law and advocacy." We do not believe there can be found in the history of the bar an instance of such sedulous study of law, carried on day by day, together with, but quite independently of, so arduous a practice in the courts. Mr. Choate, in the maturity of his reputation and success, habitually studied text-books and reports (aside from particular cases in hand or on trial, demanding each its special investigation and reflection) with a thoroughness and an assiduity which would have been becoming to a beginner at the

bar. His labor in this respect was minute and conscientious. He kept himself constantly, if we may so say, in *training* for the immediate exigencies of his practice, — a training which, by any lower standard of advocacy than his, would have been rejected as superfluous, and, with any purpose of study less resolute than his, would have been declined as impracticable. To this he added, as part of his professional discipline, and as directly auxiliary to the complete performance of his duty as advocate, still another line of study, pursued with equal strictness and fidelity, — that of the ancient and the English classics; the former frequently with carefully written translation, and the latter with written analysis and commentary; — all designed primarily to perfect and invigorate him in the practice of his profession of "the law and advocacy." The amount and variety of study which he thus accomplished would be incomprehensible, but for our knowledge of his marvellous faculty of discrimination or selection, by which his mind, as if with a sort of magnetism, seized instantly upon what it sought, indifferent to and unimpeded by the intermixture of other matter, and but for our knowledge, also, of his enthusiastic love of study for its own sake. It is to us extremely interesting to have here set down from hour to hour, by his own hand, — the very record being a part of the task of exact intellectual discipline which he imposed upon himself, — the minute particulars, the gradual advances, the hopes, regrets, perplexities, encouragements, gratulations, through which those studies were pursued, whose exuberant fruit now enriches and adorns the forensic and other literature of his country.

Mr. Choate accepted his first nomination to Congress, in 1830, from no feeling of political ambition, if not with a positive disinclination to political life. He seems to have yielded partly to the solicitations of friends, and partly to the suggestion of a prudent judgment, that, besides omitting an opportunity of rendering public service at a very critical period, he would, by withholding himself altogether from public position, debar himself from a legitimate and very considerable means of advancing his professional ambition. In those days, the high places of the nation were so readily supplied by men of

eminent character and capacity, that for one such to decide the question of his own candidacy with partial reference to his own personal wishes and ends argued no insensibility to public duty. Having, however, accepted the nomination, and been elected, he immediately addressed himself with manly fidelity to the work of special preparation for his new position. In a letter to his friend, President James Marsh, he writes: —

"The responsibilities of the new place I appreciate fully; — *pro parte virili*, I shall try to meet them. I have a whole year yet, you know, before me, before I take my seat, — quite short time enough for me to mature and enter on a course of study and thought adapted to this sphere of duty. I hardly dare yet look the matter in the face. Political life — between us — is no part of my plan, although I trust I shall aim in good faith to perform the duties *temporarily* and *incidentally* thus assigned." — Vol. I. p. 33.

His biographer inserts in the Memoir extracts from a note-book in which, about the same time, Mr. Choate set down very minutely and systematically the method of preparation which he proposed to himself for the due discharge of these duties.

"Then follow," says the Memoir, "more than twenty pages of the closest writing, with abbreviated and condensed statements of results drawn from many volumes, newspapers, messages, and speeches, with propositions and arguments for and against, methodically arranged under topics, with minute divisions and subdivisions. Some of these heads, under which he endeavors to compress the most essential political knowledge, are these: —

"1. Public lands, giving the number of acres in the whole country, the States where they lie, the sources whence derived, the progress and system of sales, &c., &c.

"2. Politics of 1831, brought down to the beginning of the session in December, an analysis of the President's Message, and notes upon the subjects which it suggests; the measures and policy of the government.

"3. The Tariff, beginning with an analysis of Hamilton's Report in 1790; History of Legislation respecting it; Internal Improvements, their cost and the Constitutional power of making them.

"Then follow three or four closely written pages on particular articles: wool, cotton, flax, hemp, iron, as affected by the tariff.

"4. Analysis of British opinions.

"5. Cause of the excitement in the Southern States.

"6. Commerce of the United States in 1831.

"These are but a sample of the subjects which occupied his attention, but they may serve to indicate the thoroughness with which he prepared for his new position." — Vol. I. p. 32.

This preparation was made within a year sufficiently crowded with important professional engagements to exhaust a very superior capacity for labor and study.

We need not recall the names which at that time illuminated the rolls of both houses of Congress. It was a period of legislative responsibility worthy of the giant strengths which were gathered there to meet it. And we need no more complete demonstration of the extraordinary breadth and vigor of Mr. Choate's powers, as well as of the thoroughness and soundness of his previous studies of political history and philosophy, than the fact that he took at once, in such a Congress, at such a period, not only an honorable, but a commanding position.

The subject of the Tariff was the first upon which he spoke. Professor Brown gives a very graphic description of the scene, and adds: "He sat down amidst the enthusiasm of those who heard him, members of all parties rushing to offer their congratulations. His position as a parliamentary orator was established." The thunder-cloud of State-Rights agitation, which was destined to burst a year or two later with such might as almost to wreck the government, was then gathering fast and formidable in the political sky. We quote a single expression from a letter of Mr. Choate to an intimate friend, written during the session of 1832–3, to show how well defined his own principles were at that trying crisis of our history. "One single mistake now," he says, "any yielding, anything short of a dead march up to the whole outermost limit of Constitutional power, and the Federal Government is contemptible forever." In 1833 he was again elected to the House by an increased majority, and in the course of that year he delivered a speech of great eloquence and power upon the subject of the removal of the deposits. At the close of that session, having determined to fix his residence in Boston, he resigned his seat in Congress, and gave himself with re-

newed ardor to the practice of his profession, in which, with the diversion of occasional literary addresses near home, he was exclusively occupied until the year 1841. In that year, Mr. Webster having accepted the State Department under President Harrison, it became necessary for the Legislature of Massachusetts to elect his successor in the United States Senate. We quote from the Memoir: —

"The public wishes soon pointed to Mr. Choate, and his friends proceeded to consult him about the matter. The offer was at first met by a decided refusal, nor was it until after repeated interviews and the greatest urgency that he finally permitted his name to be brought before the Legislature, and then only with the express understanding that he should be allowed to resign the place within two or three years. The causes of this reluctance to accept so high and honorable and attractive an office were probably many and complicated. His natural modesty, a distaste for the annoyances of public life, a loathing of political schemers, plans of study and achievement with which public duties would interfere, the necessity of an income, the love of personal independence, — all these undoubtedly influenced his judgment." — Vol. I. p. 48.

He was elected by the Legislature, and took his seat in the Senate at a period not less interesting, and in some respects not less momentous, than that at which he had first appeared in the House. The case of the Caroline, which had but recently occurred, had greatly excited public feeling, so as to drive us to the verge of a war with Great Britain. We all know with what admirable temper and wisdom Mr. Webster, retaining the State Department, after the retirement of several of his colleagues in the Cabinet, against an almost irresistible party pressure, conducted the critical diplomacy of the period. Mr. Choate's first speech, after taking his seat in the Senate, was a defence of that diplomacy, in an argument which commands our admiration equally by its eloquence and learning and by its humanity and practical wisdom.

While he continued in the Senate, Mr. Choate spoke but seldom; when he did, generally addressing himself with thorough preparation to an exhaustive discussion of whatever cardinal measure might be occupying the attention of Congress and the country. Of these speeches in the Senate, we

have, in Professor Brown's volumes, the following: "In the Case of Alexander McLeod" (the Caroline just referred to); "On the Bill to provide Further Remedial Justice in the Courts of the United States by an Extension of their Powers" (the object of which was to meet such cases as that of McLeod, and to prevent a conflict of authority between any of the States and the United States); "On the Power and Duty of Congress to continue the Policy of protecting American Labor"; "On the Question of annulling the Convention for the Common Occupation of the Territory of Oregon, and in reply to Mr. Buchanan"; a second "Speech upon the Subject of Protecting American Labor by Duties on Imports"; and a "Speech on the Bill for the Establishment of the Smithsonian Institution." It would be fruitless to attempt particular observations upon these various speeches, which certainly present enough to establish Mr. Choate's claim to stand in the first rank of modern parliamentary orators. We cannot resist the temptation, however, to refer here to a single occasion on which he indulged in something nearer to personal retaliation in debate than appears anywhere else in his public or professional career, and with such signal point and effect as to manifest the abundance of his resources in such a contest; especially as his remarks, being out of connection with the regular debate in the Senate, are not reported in Professor Brown's collection. Mr. Choate had spoken against a bill introduced by Mr. M'Duffie to revive the Compromise Tariff of 1833. We give what followed, as it is recorded in the Memoir.

"The debate closed on the 31st of May. Mr. M'Duffie, as having opened the discussion, occupied two days in replying to his different opponents. His hopes of carrying the bill, if ever entertained, had long since vanished; and this may account in a measure for the unusual tone of his speech. The first portion of it was mainly addressed to Mr. Choate, and charged him with drawing very largely, if not exclusively, upon his imagination for his facts, and spinning and weaving a web 'about the texture of a cobweb, and produced very much in the same way.' He asserted that he gave isolated, if not garbled, extracts from the speeches of members of the first Congress, 'picking up from Grub Street a worm-eaten pamphlet, with opinions that would form an appropriate argument for the leader of a band of highway robbers.'

'I confess, Mr. President,' he went on to say, 'that when I followed the honorable senator, hopping and skipping from legislative debates to catch-penny pamphlets, gathering alike from the flowers and the offal of history, I found it difficult to decide whether his labors more resembled those of a humming-bird in a flower-garden, or a butterfly in a farm-yard.' There was more of the same sort. The answer was immediate, and in a strain which Mr. Choate *in no other case* ever indulged in. 'I must throw myself, Mr. President,' he said, 'on the indulgence of the Senate for a few minutes, and offer a few words of explanation, made necessary by the senator's comments upon a portion of the remarks which I had the honor to submit to you some six weeks ago. I do not propose to take notice of anything which he has said to other senators, nor of what I may call the general tariff matter of his speech. If others have been assailed, as I have been, by stale jests or new jests, stale argument or new argument, stale denunciations or fresh, they well know how to take care of themselves. I rejoice, too, to see that the protective policy of the country is taking excellent care of itself. One more such vote as another branch of Congress has just given, — one such election as will occupy, reward, and illustrate the approaching summer and autumn, — and the universal labor of America will be safe from the jokers of old jokes or the jokers of new jokes. If then it be assailed by the arguments of men or the arms of rebels, it will, I hope, be quite able to defend itself against them also.

"'Confining myself then, Mr. President, altogether to the senator's notice of me, I must begin by saying, that never in my life have I been so completely taken by surprise as by this day's exhibition, just closed, of good manners, sweet temper, courteous tone, fair statement of his opponent's position, masterly reply to it, excellent stories — all out of Joe Miller — extemporaneous jokes of six weeks' preparation, gleaned from race-ground, cockpit, and barn-yard, with which the senator from South Carolina has been favoring the Senate and amusing himself. I came into the Senate yesterday with the impression that the occasion was to be one of a sort of funereal character. I supposed that this bill of the senator — never fairly alive at all, but just by your good-nature admitted to have been so for a moment to make a tenancy by courtesy, and now confessedly dead — was to be buried. I came in, therefore, with composed countenance, appropriate meditations on the nothingness of men and things, and a fixed determination not to laugh — if I could help it. The honorable senator, I supposed, would pronounce the eulogy, and then an end. Even he, I expected, would come rather to bury than to praise. I thought it not improbable that we should hear the large and increasing majority of the American people

proclaimed robbers and plunderers, — because that we hear from the same source so often some threatening of nullification, in old forms or new, some going to death on sugar, some 'purging of the passions by pity and terror,' — and then the ceremony would be closed, and all be over.

"'No tongue, then, can express the surprise with which I heard the honorable senator waste a full hour or more of the opening of his speech, and some precious health and strength, in slowly dealing out a succession of well-premeditated and smallish sarcasms on me. I was surprised, because I think the Senate will on all sides bear witness to what, under the very peculiar circumstances, I may be excused for calling to mind, — my own general habit of courtesy here. Not participating with excessive frequency in debate, nor wholly abstaining from it, I have sought always to observe the manner, as I claim to possess the sentiments, of a gentleman. In such a body as this, such a course is, indeed, no merit and no distinction. It is but an unconscious and general sense of the presence in which we speak.

"'In the instance of this discussion of the tariff, I am totally unaware of any departure from what I have made my habit. The senator from South Carolina had, as he had a perfect right to do, introduced a proposition which, adopted, would sweep the sweet and cheerful surface of Massachusetts with as accomplished, with as consummated a desolation, as if fire and famine passed over it; and would permanently, and widely, as I believed, and most disastrously, affect the great interests and all parts of the country. That proposition I opposed, debating it, however, in a general tone, and with particular expression of high respect for the abilities and motives of the honorable senator, and in a manner from first to last which could give no just offence to any man. I acknowledge my surprise, therefore, at the course of the senator's reply. But I feel no stronger emotion. I do not even remember all the good things at which his friends did him the kindness to smile. If he shall ever find occasion to say them over again, he will have, I presume, no difficulty in re-gathering them from the same jest-book, the same historian of Kilkenny, the same race-ground and cockpit and barn-yard where he picked them up. They will serve his purpose a second time altogether as well as they have done now. . . . . .

"'The honorable senator, applying himself diligently to the study of this debate of 1789, says he finds that it turned very much on the molasses duty. This suggests to him, first, a good joke about "switchel," and then the graver historical assertion that "Massachusetts has always been more sensitive about her own pockets, and less about her neighbors', than any State in the Union." Now, Sir, I should be half

inclined to move a question with him upon the good taste of such a sally as that, if I did not greatly doubt whether he and I have any standards of taste in common. I should be inclined to intimate to him that such a sarcasm upon a State five hundred miles distant, which he does not represent, to which he is not responsible, is no very decisive proof of spirit or sense. He will judge whether such things have not a tendency to rankle in and alienate hearts that would love you, if you would permit them. Let us remember that we have a union and the affections of union to preserve, as well as an argument to conduct, a theory to maintain, or a jest, old or new, to indulge. . . . . It is a grief to the honorable senator to see protection sentiments spreading at the South.

"Sun! how I hate thy beams!"

I rejoice to see this, on the contrary. I should be glad of it, though it should raise up a manufacturing competitor in every State of the Union. I rejoice to perceive symptoms of a return to the homogeneous nature and harmonious views of an earlier and better day. I rejoice to see that moral and physical causes, the power of steam, the sober second thought of the people, are combining to counteract the effects of a wide domain, and local diversities, on opinion and on feeling. I am glad to see the whole nation reassembling, as it were, — the West giving up, the South holding not back, — reassembling on the vast and high table-land of the Union! To the Senator from Georgia [Mr. Berrien], and to the Senator from Virginia [Mr. Rives], who have so conspicuously contributed to this great result, I could almost presume to counsel, persevere as you have begun.

"Sic vobis itur ad astra!"

"That way," in the vindication of this policy, in the spread of this light, in the enforcement of this truth, — "that way, glory lies." '" — Vol. I. pp. 79 – 84.

Besides the speeches in the Senate, these volumes contain a considerable number of Mr. Choate's best known public addresses delivered elsewhere, of a literary, political, or other character. Among them we are glad to find the following: "An Address delivered before the Law School in Cambridge," on "The Position and Functions of the American Bar, as an Element of Conservatism in the State"; a "Speech before the Young Men's Whig Club of Boston, on the Annexation of Texas"; a "Speech on the Judicial Tenure, delivered in the Massachusetts State Convention"; a Speech on the Preser-

vation of the Union, "delivered at the Constitutional Meeting in Faneuil Hall, November 26, 1850"; his "Argument on the Removal of Judge Davis"; his Oration, delivered July 5, 1858, on "American Nationality"; and his "Discourse commemorative of Daniel Webster, delivered before the Faculty, Students, and Alumni of Dartmouth College."

It may be fairly said, that Mr. Choate's countrymen are under real obligations to the judicious and intelligent labor by which so many of his best oratorical productions have been rescued from the imbroglio of all but inscrutable manuscript which has come to the hands of his biographer. There is every reason to believe that the task of the reader, or rather the translator, of these papers, has been performed with fidelity and strict accuracy; and we hold it to be by no means trivial to make acknowledgment of this, in a case where so much harm, positive and negative, would have been suffered from the reverse. We have the satisfaction of knowing that we possess, essentially and characteristically at least, and for the most part literally, the most memorable of those public addresses, the oral delivery of which none who heard them will deny to have been a marvel of oratorical grace and power. But beyond the mere demonstration which these records furnish of his extraordinary eloquence, we feel that the whole nation is to be congratulated upon the possession, in a permanent form, of the selected discourses upon public affairs, embracing the most momentous situations through which his country passed during his lifetime, of one whom the discourses alone show to have had few equals among the great men of our history in respect to that various, accurate, and profound knowledge of affairs, and enlightened practical wisdom in administration, which make the statesman and the publicist; who was second to none, of the present or of the past, in respect to that moderation, justness, and generosity of sentiment and purpose, in all matters of public concern, which, at once inspired by and directing the impulses of an honest love of country, constitute the character of a true patriot.

We have expressed our judgment of these volumes as they illustrate the professional and political life of Mr. Choate; and now, again disclaiming any design to attempt the superfluous

and fruitless task of delineating his remarkable and most attractive character, — for we have no office or purpose here but to introduce the work of another to the notice of our readers, — we must occupy a little further time in noticing the biographer's execution of his work in respect to the more personal, intimate, and familiar aspects of the life of his distinguished friend. Of necessity, we must be brief and cursory. We pass over some matters upon which remark would be obvious, easy, and to ourselves gratifying; such as the oratory of Mr. Choate, with its strong peculiarities and felicities; his exuberant and rare wit; his brilliant literary and scholarly accomplishments; his conversation, which, for the thought, the language, the manner, was perfection — not of art; his *behavior*, so exquisitely made up of courtesy, gentleness, and dignity, — never, by any possibility, under any circumstances, "unseemly." Of all these, his friend and biographer speaks fully and with appreciation, and his description will admirably serve to correct and harmonize the picture, which, with some misconceptions and exaggerations, was long ago impressed upon the public mind.

For ourselves, we would rather spend our little remaining space in noting some particulars, not quite obvious or familiar to all, perhaps, yet indispensable to a complete understanding of his life and character, and well illustrated, if not directly remarked upon, in the Memoir.

He was a man of singular reserve, — singular both in degree and in quality; not the reserve of self-occupation, certainly not that of self-esteem. It was an instinct rather than a purpose. He was of such a moral constitution, that communication of himself beyond a certain line was naturally impossible. As we said a little while ago, he did not so much desire concealment as enjoy privacy. Within this innermost circle, he lived intensely. It was the centre of his being, unapproachable, steadfast, ardent with the purpose of his whole life. And that purpose was earnest and sincere. He strove to do his best with what he knew, as well as anybody else, were uncommon powers. He felt the full responsibility which their possession laid upon him. As to his use of them, he was contented with no judgment derived merely from public applause. He tried himself by a standard as much more rigorous than that of

most men, as his achievements were higher than theirs. So long as he himself believed that he could accomplish more, he was unsatisfied with what he had accomplished. He did not court or wait for praise. He received it, in all its forms of compliment and deference, with unaffected modesty and deprecation; for he knew better than his admirers, perhaps, what the precise amount of his work had been, and that it might have been, ought to have been, more. Like an athlete, he constantly set his mark farther and farther; enjoying the effort, and secretly congratulating himself upon the progress, but not priding himself upon the result.

In the "Leaves of an Imperfect Journal of Readings and Actions," as Professor Brown denominates them, which he has inserted in the Memoir, we have a fragmentary record of Mr. Choate's *library life*. In his library, certainly, he was peculiarly himself, and at home. There he passed, if not the happiest, the most characteristic hours of his life. In it he revelled in delightful labor. When absent from it, he longed for it with an affectionate personal longing. When he has just set foot on a foreign shore, in search of diversion and recreation, he writes home: "My heart swells to think of you all, and of my poor, dear library. Take good care of that." Again, from Paris: "Take care of my library, — dearer than the *Bibliothèque du Roi*, — though smaller." And again, writing in his diary, on the ocean: "I sigh for the sweet luxuries of my little library *μικρόν τε φιλόν τε*." Not small, by any means; but it was one which he gathered about himself by the intellectual attraction of a life which had grown up with him, the family and friends of his mind. In this companionship, he lived another sort of domestic life. And thus it is that these "Fragments of Journals," giving us, as we have said, his library life, admit us to what we constantly and especially desire, a knowledge of the man himself, — of his habits of thought, his purposes and aspirations. In the autobiographical pages which are thus placed before us, we find him discussing with himself what he has done, and what he is to do, — reproaching himself, congratulating or encouraging himself, sometimes exchanging with himself a little sober pleasantry. Besides the exquisite literary criticism and exegesis, which we should be

sure to find, there are occasional expressions of personal feeling which throw an interesting and even an affecting light upon his character. After recording the purpose with which, and the plan upon which, he intends to keep this diary of life in his library, he says : —

"I have written enough to satisfy me I cannot keep this journal; yet seriously do I mean to try. Those I love best may read, smile, or weep, when I am dead, at such a record of lofty design and meagre achievement; yet they will recognize a spirit that 'endeavored well.'" — Vol. I. p. 66.

Again, after the termination of some important trial, he writes : —

"The review of this arduous and responsible professional labor suggests a reflection or two. I am not conscious of having pressed any consideration farther than I ought to have done, although the entire effort may have seemed an intense and overwrought one. Guilty she certainly appears upon the proof to have been, and I can discern no trace of subornation or manufacture of evidence. God forgive the suborner and the perjured, if it be so!" — Vol. I. p. 67.

Again (soon after his retirement from the Senate) : —

"A little attention to things, and persons, and reputations about me, teaches me that uncommon professional exertions are necessary to recover business to live, and a trial or two teaches me that I can very zealously and very thoroughly, and *con amore*, study and discuss any case. How well I can do so, compared with others, I shall not express an opinion on paper; but if I live, all blockheads which are shaken at certain mental peculiarities shall know and feel a reasoner, a lawyer, and a man of business. In all this energy and passion I mean to say no more than that the *utmost possible painstaking with every case* is perfectly indispensable, and fortunately not at all *irksome*." — Vol. I. p. 90.

And particularly this : —

"Finished with some pages of Jeremy Taylor, on life and death. . . . . I will daily read in the English version at least six verses of the New Testament, with an earnest effort to understand, imbibe, and live them. Satis, plusquam satis, sic vixisse, — sic non vixisse, — nec pulchre, — nec recte, — sine dignitate, — sine me ipsum salvum faciend.! sine reg. — sine observ. — Dei præcept. — sine intellig. — et app. — ad me instit. — et ritus rel. Christ — vit. ist. tuæ felic. non debetur, nec

promissa, nec poss.! Ideo ut supra in vers. ang. unâ cum fin. diei stud. Sex vers. leg. et med. et orare!" — Vol. I. p. 97.

We cannot stay to quote from the many notable passages of literary criticism contained in these fragments of journals, to which, indeed, we have again referred only for the striking illustrations afforded by them, here and there, of certain particulars of Mr. Choate's character, which seem to us to have been not always understood or appreciated.

In the course of the Memoir are introduced a very few of his private letters. Nothing can be more grateful to the affectionate recollection of his friends, or better serve to illustrate his character to those who knew him not, than these intimate memorials of his private and domestic life. We have in mind particularly his letters to his children. We forbear quotation, for, once beginning, we should not know what to omit. They all overflow with the warmest and purest affection; here and there delightfully touched by a gleam of his own indescribable humor; dignified always by that grave sweetness which never deserted his demeanor at the most familiar times; and enriched by the most earnest precepts of virtue and honor.

We must not conclude this already too much protracted notice without a brief reference to Mr. Choate's journal of his visit to Europe in the summer of 1850, which included England, Belgium, France, a part of Germany, and Switzerland, and terminated in September. Its opening sentences are so characteristic as to demand quotation.

"I never promised myself, nor any one else, to attempt a diary of any part of the journey on which I have set out, still less of the first, most unpleasant, and most unvaried part of it, — the voyage. But these hours, too, must be arrested and put to use. These days also are each a life. 'Let me be taught to number them, then,' — lest, seeking health, I find idleness, ennui, loss of interest, — more than the allotted and uncontrollable influence of time on the faculties and the curiosity." — Vol. I. p. 143.

Once more, to show how constant and conscientious was his lifelong purpose of self-culture, note the following entry in the Diary, made when he had just arrived at Liverpool.

"And now to some plan of time and movement for England. Be-

fore breakfast I shall walk at least an hour *observantly*, and on returning jot down anything worth it. This hour is for exercise, however. I mean next to read every day a passage in the Bible, a passage in the Old and in the New Testament, beginning each, and to commit my 'Daily Food.' Then I must carefully look at the papers for the purpose of thoroughly mastering the actual English and European public and daily life, and this will require jotting down the debates, the votes, chiefly. Then I must get, say half an hour a day, for Greek and Latin and elegant English. For this purpose, I must get me an Odyssey and Crusius, and a Sallust, and some single book of poems or prose, say Wordsworth. This, lest taste should sleep and die, for which no compensation shall pay.

"For all the rest, I mean to give it heartily, variously, to what travel can teach, — men — opinions — places, — with great effort to be up to my real powers of acquiring and imparting. This journey shall not leave me where it finds me. Better, stronger, knowing more. One page of some law-book daily I shall read. That I must select to-morrow, too." — Vol. I. pp. 145, 146.

The following is his memorandum of a visit to the law courts.

"I heard a cause partially opened to a committee of Lords, another partially argued to the jury in the Exchequer, and another partially argued to the Lords Commissioners. The A. G. [Attorney-General] Jervis [Sir John Jervis] and Mr. Cockburn [Alexander E. Cockburn] open respectively for and *versus* Pate, for striking the Queen. There was no occasion for much exertion or display, and there was nothing of either. Mr. Cockburn had the manner of Franklin Dexter, before the committee. Mr. Marten seemed animated and direct, in a little Exchequer jury cause. Pate would have been acquitted in Massachusetts. The English rule is, — knowledge, or want of it, that the act is wrong. The prisoner's counsel, in my judgment, gave up his case by conceding; he feared he should fail. I thought and believed he might have saved him. The chief judge presiding, Alderson [Sir E. H. Alderson], offended me. He is quick, asks many questions, sought unfavorable replies, repeats what he puts down as the answer, abridged and inadequate. The whole trial smacked of a judiciary whose members, bench and bar, expect promotion from the Crown. Their doctrine of insanity is scandalous. Their treatment of medical evidence, and of the informations of that science, scandalous.

"One thing struck me. *All* seemed to admit that the prisoner was so far insane as to make whipping improper! yet that he was not so

insane as not to be guilty. Suppose him tried for murder, how poor a compromise!

"The question on handwriting was 'do you *believe* it to be his?' after asking for knowledge. Opening the pleadings is useless, except to the court, and is for the court. . . . . The speaker is at too great a distance from the jury. Their voices are uncommonly pleasant; pronunciation odd, affected, yet impressing you as that of educated persons. Some, Mr. Humphry, Mr. Cockburn, occasionally hesitated for a word. All narrated dryly, not one has in the least impressed me by point, force, language, power; still less, eloquence or dignity. The wig is deadly." — Vol. I. pp. 146, 147.

Arrived at Paris, he

"attended a sitting of the Chamber of Deputies — an assembly of good-looking men — not just then doing anything of interest — most interesting, however, as the government, and the exponent and multifarious representation of the political and social opinions, and active organ, of a great nation. . . . . Two or three deputies spoke to a most freezing inattention. They 'got the floor' in their seats, then went to the tribune, laid their MSS. at their side — and went to it as we lecture at lyceums. Great animation — much gesture — a constant rising inflection at the end of periods before the final close of the sentence — an occasional look at the MSS. and pull at the tumbler of water — some pausings at the noise of inattention — this is all I could appreciate. The courts of law pleased me, too. The judges in cloaks or robes of black, with caps, — quiet, thoughtful, and dignified; the advocate, in a cloak and bare-headed, debating with animation and no want of dignity, — the dress and manners far better than the English bar. The silk gown, or cloak, is graceful and fit, and might well have been (it is too late now) among the costumes of our bar." — Vol. I. pp. 149, 150.

Our readers will readily believe that the notes upon historical persons, places, and associations, which the few pages of this diary contain, will richly repay the reading. The descriptions of scenery are full of poetic spirit, and always lead to and terminate in some grand or touching recollection of the past. The scene was to him but the memorial of great deeds, great thoughts, the agonies of great minds and hearts living once upon its breast. At Mont Blanc, observe the difference. After a brief and somewhat cold description, he adds: "From all this glory, and at this elevation, my heart turned homeward, and I only wished that, since dear friends could not share this

here, I could be by their side, and Mont Blanc a morning's imagination only."

The Diary is very brief, terminating with his observations upon Cambridge, and before he had visited the North of England, Edinburgh, Abbotsford, Glasgow, and the Lowlands of Scotland. He returned home in September.

This diary, the journal, and the letters, constituting as much of self-description as Mr. Choate has left us, possess unquestionably an interest and a value beyond what could be claimed for any biography. There was in him that involution of characteristics, if we may so speak, which makes exact, methodical description quite impossible. The author of the Memoir has given, upon the whole, a just impression of him; and that is a success. His work will serve to perpetuate the memory of the eloquence, learning, and patriotism, the wit and the culture, which secured for Mr. Choate the honor and admiration of his contemporaries. But the best of biographies cannot give us back the charm of his daily life among us. That is for memory alone.

ART. X. — 1. "*Christopher North.*" *A Memoir of John Wilson, late Professor of Moral Philosophy in the University of Edinburgh.* Compiled from Family Papers and other Sources, by his Daughter, MRS. GORDON. Edinburgh: Edmonston and Douglas. 1862. 2 vols. Small 8vo. pp. xii. and 335, 399.

2. *The Works of* PROFESSOR WILSON, *of the University of Edinburgh.* Edited by his Son-in-Law, PROFESSOR FERRIER. Edinburgh and London: William Blackwood and Sons. 1855 – 58. 12 vols. Small 8vo.

IT has often been remarked, that the life of a man of letters affords little variety of incident to a biographer; but this remark scarcely holds good with regard to Professor Wilson. Born to the inheritance of an ample fortune, which was lost through the misconduct or the incompetency of another, he

was compelled at the age of thirty to exchange a life of elegant leisure for one of untiring toil and ceaseless activity of mind. A poet and an essayist, a writer of fiction and a Professor in a Scotch University, his career was for many years identified with the literary history of Edinburgh. Yet it must be conceded even by the most friendly critic, that Mrs. Gordon has not made much of a story which, in the hands of a more practised writer, would have been replete with interest. The most that can be said in favor of her Memoir is, that it is not quite so ill-arranged as the Rev. Mr. Southey's Life of his father, nor quite so heavy as Dr. Christopher Wordsworth's Life of his brother. Wilson's daughter and biographer had a sufficient collection of materials; but she has not displayed much judgment in selecting and arranging them; she has kept back, through ignorance or a fear of "unfilial disrespect," much which is important for a right estimate of her father's character, and she has overloaded her narrative with frequent extracts from writings which are already familiar to every admirer of his genius. Her own style is feeble, vapid, and diffuse; her narrative is often clumsy, obscure, and in one remarkable instance even unintelligible; and her selections from her father's correspondence show that, in spite of the brilliancy of his essays and other papers in Blackwood's Magazine, he had little skill as a letter-writer. Moreover, the whole Memoir is characterized by that inclination to place every action of its subject in the most favorable light, which is generally exhibited by children when writing the lives of their parents, but which always leads one to distrust the accuracy of a portrait thus painted. It ought, perhaps, to be added, that Mrs. Gordon did not undertake to write the life of her father until the task had been declined by several other persons, and that a daughter could scarcely be expected to be free from partiality.

Of the edition of Professor Wilson's Works published under the careful supervision of his son-in-law, Professor Ferrier, we can speak with somewhat warmer praise. It is by no means complete, though it fills twelve closely printed volumes; but it comprises nearly everything of permanent interest and value from Wilson's pen which is not hopelessly lost

in the early volumes of Blackwood's Magazine, and it is occasionally illustrated by explanatory notes. These notes are brief and well written, and the only complaint that we have to make in regard to them is, that they are not more numerous. With the lapse of time many of the local and personal allusions which enter so largely into Wilson's writings will become more and more obscure, and, if they are read by another generation, the want of further editorial illustration will be severely felt. The first four volumes of this edition contain the celebrated series of dialogues published in Blackwood's Magazine under the title of "Noctes Ambrosianæ," omitting the papers, thirty in number, which the editor thinks were not written by Wilson; the next four volumes comprise a selection from his critical and miscellaneous essays; the ninth and tenth volumes are devoted to the "Recreations of Christopher North"; the next volume includes most of his contributions to fictitious literature; and the last volume gathers up all of his poetical works which are deemed worthy of preservation. Of the general character of these various writings we shall have occasion to speak in another part of this article.

The father of John Wilson was a wealthy gauze-manufacturer in Paisley, one of the principal manufacturing towns in Scotland; and his mother was a woman of much personal beauty, of a haughty spirit, and an indomitable will. John was their oldest son, and was born on the 18th of May, 1785, inheriting from his father, who died while he was yet a child, a fortune of fifty thousand pounds sterling, and from his mother the energy and self-reliance which enabled him to meet with undaunted courage the heavy pecuniary reverses of later years. As a child, he does not appear to have been in any way remarkable, unless we are to credit the story that he ran away to fish in the neighboring river when he was only three years old, and actually returned with a trout as the evidence of his infantine skill. When he was old enough to attend school, he was placed under the care of a male teacher in Paisley, and after a year or two he was sent to the parish of Mearns, so affectionately described in the "Recreations," where he had for his instructor the parish minister. At the

age of twelve he entered the University of Glasgow; and he continued to attend the lectures in this venerable institution until 1803. While he resided at Glasgow he formed an ardent but secret attachment for a young lady of the neighborhood, who appears to have been a person of much beauty and worth of character, yet who unfortunately did not possess the wealth or the social position which his mother would have deemed important. This early attachment exercised a very great influence over his life, both at Glasgow and afterward at Oxford; but the fear of his mother's displeasure finally led him to terminate the engagement, after a mental struggle which lasted almost to the close of his college course, and often drove him to the verge of insanity.

In June, 1803, he was entered as a gentleman-commoner at Magdalen College, Oxford; and, four years afterward, he was graduated with distinction, though we are inclined to think that he had not been a very diligent student. His unfortunate love affair had absorbed much of his thought; and it is certain that, if he did not indulge in the grosser forms of dissipation, he was engaged in some very questionable adventures. Some allowance, however, ought to be made on account of the severity of the inward struggle between love and filial affection, to which we must trace his use of laudanum to revive his spirits, as well as his foolish talk about suicide, and also his plan of joining Mungo Park's second expedition to Africa. Nevertheless, he proved himself to be a good Greek scholar, and he was the first person on whom the Newdigate Prize was ever conferred, — the subject of his poem being "Sculpture, Architecture, and Painting." The production was one of considerable merit, and was printed for the first time in Professor Ferrier's edition of Wilson's Works.

Immediately on leaving Oxford, he took up his residence on the shore of Lake Windermere, where he had recently purchased an estate called Elleray, not far from the residences of Wordsworth, Southey, and Coleridge. Here he continued to reside as a bachelor until 1811, spending his time in social engagements, in occasional literary occupations, and in those out-of-door sports and exercises for which he always had so strong a taste, and to which his ample fortune enabled him

freely to devote himself. The recollection of his early love had become dim by absence and the lapse of a few years, and he soon determined that it was not good for him to live alone. On the 11th of May, 1811, he married Jane Penny, the daughter of a Liverpool merchant, who had spent the previous season on the shore of Windermere, not far from Wilson's cottage. This lady was of a slight figure and a delicate appearance, presenting a strong contrast to the stalwart form of her husband. Of their domestic life we do not learn much from Mrs. Gordon's Memoir, and when Wilson was a candidate for the Professorship of Moral Philosophy in the University of Edinburgh, it was frequently asserted by his opponents that he was neither a good husband nor a good father; but this charge seems to have been utterly without foundation, and to have been inspired only by partisan animosity. There is evidence, in his letters to his wife, that he regarded her with a deep and tender affection, and that she was a faithful and devoted wife, ever ready to humor his whims; and he always speaks of her to others with warm affection. She was not, indeed, a person of much intellectual culture, nor quite in sympathy with purely literary pursuits; but she had a hearty admiration of her husband's genius, and readily accepted all his opinions. The four years succeeding his marriage were passed chiefly at Elleray, in the continued enjoyment of all the pleasures of country life, and in the preparation for the press of a volume of poems, — the first fruits of his literary labors. But this period of ease and comparative idleness was at length brought to a sudden close by pecuniary reverses, which stripped him of nearly all his fortune. After his father's death, the property which he inherited had been placed in the care of an uncle, who, according to Mrs. Gordon's account, proved to be dishonest, and squandered the whole, leaving his nephew little better than a beggar. Wilson met this unexpected disaster with manly courage, and at once determined to repair his losses, so far as it might be practicable, by his own exertions as a writer and a member of the bar.

In the same year, indeed, in which he was married, he had contemplated joining the Scottish bar, and, with that view,

had become a member of the Speculative Society in Edinburgh; but it does not appear that he gave himself seriously to the study of the law until he felt the pressure of necessity laid upon him by the reverses of 1815. A few months after his marriage, he had also published his first volume, "The Isle of Palms, and other Poems"; but the book did not meet with a very favorable reception from the public, though it was kindly reviewed by Jeffrey, and writing poetry did not, therefore, promise to be a very lucrative employment. Now, however, in the stress of adverse fortune, his mind was again directed to his legal studies, and to the literary pursuits which were hereafter to become his chief occupation. He speedily removed to Edinburgh, and in the same year was admitted to the bar. As a lawyer, he never acquired even the slightest reputation, and he soon left a profession for which he was wholly unfitted from his want of legal knowledge and his aversion to the technicalities of the law. Literature, therefore, remained his only resource; and in March, 1816, he published his second volume, "The City of the Plague, and other Poems," which was received with much greater favor than its predecessor, and added materially to his reputation. The longest poem in the volume is, indeed, the best of his metrical productions, and contains some admirable passages, though it is far inferior to his prose works. Strangely enough, his poetry, which was often tender and pathetic, was generally weak, and one seldom recognizes the hand which wrote the "Noctes" and the "Recreations." While this volume was in preparation, Wilson and his wife started on a pedestrian tour through the Western Highlands, and actually accomplished a walk of three hundred and fifty miles, travelling sometimes at the rate of twenty-five miles a day. In this excursion, the poet bore the greater part of their apparel in a pack, while his wife carried the lighter articles in her hand. On one occasion, says Mrs. Gordon, in her Memoir, "the travellers had been overtaken by a mist falling suddenly over them when in Rannoch. They missed the beaten track of road, and, getting among dreary moors, were long before they discovered footing that could lead them to a habitation. My father made his wife sit down among the moss, and, taking off

his coat, wrapped her in it, saying he would try and find the road, assuring her, at the same time, that he would not go beyond the reach of her voice. They could not see a foot before them, so dense and heavy was the dreary mist that lay all around. Kissing his wife, and telling her not to fear, he sprang up from where she sat, and bounded off. Not many seconds of time elapsed ere he called her to come to him, the sound guiding her to where he stood. He was upon the road; his foot had suddenly gained the right path, for light there was none. He told her he had never felt so grateful for anything in his life as for that unexpected discovery of the beaten track."

In the year following the appearance of "The City of the Plague," an event occurred, of apparently slight importance in itself, but which was to exercise a powerful influence over his future career. This was the publication, in April, 1817, of the first number of Blackwood's Magazine, or "The Edinburgh Monthly Magazine," as the work was originally called. To this journal Wilson was from the first a frequent contributor, and he has commonly been regarded as its editor; but it is now known that Mr. Blackwood, the publisher of the Magazine, was the sole responsible editor after the withdrawal of Mr. James Cleghorn and Mr. Thomas Pringle, who were the first editors, and whose connection with the work terminated with the sixth number. Wilson's opinions, however, had great weight with Blackwood, and he sometimes procured the rejection of articles which that gentleman was inclined to insert, though he could not always prevent the rejection of his own articles. "Of Blackwood's Magazine I am not the editor," he wrote in a private letter to a friend in 1828, "although, I believe, I very generally get both the credit and discredit of being Christopher North. I am one of the chief writers, perhaps the chief, and have all along been so, but never received one shilling from the proprietor, except for my own compositions. Being generally on the spot, I am always willing to give him my advice, and to supply such articles as may be most wanted when I have leisure to do so. But I hold myself answerable to the public only for my own articles, although I have never chosen to say, nor shall I ever, that I am not edi-

tor, as that might appear to be shying responsibility, or disclaiming my real share in the work." Some idea of the extent of his contributions may be formed from the fact that he furnished in one year, 1830, thirty articles, or more than six hundred printed pages. No complete list of his contributions has been preserved; but between January, 1826, and August, 1852, he contributed nearly three hundred articles, many of them exceeding forty or fifty printed pages in length. From its very commencement the Magazine was characterized by a virulence of partisanship and a coarseness of personal invective, which contributed much to its success, but which greatly debased the public taste, and for which Wilson and his friend Lockhart were in large measure responsible. In the famous "Chaldee Manuscript" Wilson was introduced under the designation of "the beautiful Leopard from the valley of the palm-trees, whose going forth was comely as the greyhound," and Lockhart under that of "the Scorpion which delighteth to sting the faces of men"; and there was certainly much in their appearance and character to warrant this representation.

The fierceness with which the writers for the new Magazine assailed their political opponents provoked many severe rejoinders, one of the most celebrated of which was an anonymous pamphlet, entitled "Hypocrisy unveiled, and Calumny detected, in a Review of Blackwood's Magazine," and said to have been written by a well-known Scottish lawyer, in answer to a very outrageous attack on Professor Playfair by Mr. Lockhart. In this pamphlet both Wilson and Lockhart were handled with remorseless severity, and they keenly felt the attacks of the writer. Immediately on the appearance of the pamphlet they wrote separate notes "To the Author of Hypocrisy Unveiled," to demand satisfaction. Wilson's note was the longer of the two, and ended with a request for the name and address of his unknown enemy, "that I may send a friend to you to deliver my opinion of your character, and to settle time and place for a meeting, at which I may exact satisfaction from you for the public insults you have offered to me." Lockhart's note was very curt, but there could be no doubt as to its meaning. "Sir,—I have no wish to apply epithets of insult to you till I know who you are. If you suppose your-

self to have any claim to the character of a gentleman, you will take care that I be not long without this knowledge." The answer of the unknown writer was very adroitly worded: it is perhaps needless to say that he declined to give the desired information. This reply closed the correspondence; but it was long before Wilson's indignation cooled, and the affair ceased to rankle in his breast. Not among the least disagreeable of the results produced by Lockhart's article was the rupturing of the friendly relations which had previously existed between Wilson and Jeffrey. The former, indeed, had a few months before written an article on Lord Byron for the Edinburgh Review; and in transmitting to him the customary remuneration for it, Jeffrey took occasion to express very frankly his opinion of the recent attack on Mr. Playfair, and to pronounce the various allegations brought by the writers for Blackwood's Magazine against the Review to be utterly unfounded. "You are said," he writes, "to be a principal writer in, and a great director and active supporter of, Blackwood's Edinburgh Magazine. In the last number of that work there is an attack upon my excellent friend, Mr. Playfair, in my judgment so unhandsome and uncandid, that I really cannot consent either to ask or accept of favors from any one who is aiding or assisting in such a publication." To this strong expression of his feelings he added: "I have not the least idea that you had any concern in the composition of that particular paper, and perhaps I have been misinformed as to the nature and extent of your connection with the work in general. But if it be as I supposed, and if you still profess to take the same interest in that Magazine, I do not see that we can possibly co-operate in any other publication." Wilson's reply to this letter does not appear to have been preserved: it is not in Lord Cockburn's Life of Jeffrey, and Mrs. Gordon can only conjecture what it may have been.

In the summer of 1820 a new field of labor was opened to Wilson by the death of Dr. Thomas Brown, at that time Professor of Moral Philosophy in the University of Edinburgh. Several candidates were named to fill the vacancy; but only two were prominent, — Sir William Hamilton and John Wilson, — each of whom was supported mainly on political grounds, the

first receiving the almost undivided support of the Whigs, while the latter was backed by the whole weight of the vast influence which the government at that time possessed in Scotland. The contest was conducted with great bitterness; and, in order to meet the attack of his opponents, Wilson was obliged not only to procure testimonials as to his intellectual capacity, but even to prove that he was a person of good moral character. Among the individuals to whom he made application for the latter purpose was Mrs. Grant of Laggan. This lady, after stating that she had known much of Wilson from his very childhood, and had always understood him "to be a person of amiable and generous feelings and upright intentions," added that she had also believed Mrs. Wilson "to be the tranquil and happy wife of a fond and faithful husband, domestic in his habits, devoted to his children, and peculiarly beloved by his brothers and sisters and his respectable and venerated parent." These indorsements seem to have satisfied the wise men who composed the Town Council, and, totally ignoring the pre-eminent qualifications of Sir William Hamilton, they elected Wilson to the vacant Professorship by a vote of twenty-one to nine.

As the election did not take place until July, and he was to begin the discharge of his new duties in November, he was obliged to set about the task of preparing his lectures with even more than his wonted diligence. Among the subjects of which he proposed to treat were the moral systems of ancient Greece, the physical nature of man, his intellectual powers, his moral nature and affections, his relations to God and to his fellow-men, the virtues and vices, and the will. His first lecture was crowned with brilliant success, though the opposition to his appointment had not yet died out. "There was," says one who was present at its delivery, "a furious bitterness of feeling against him among the classes of which probably most of his pupils would consist, and, although I had no prospect of being among them, I went to his first lecture, prepared to join in a cabal which I understood was formed to put him down. The lecture-room was crowded to the ceiling. Such a collection of hard-browed, scowling Scotsmen, muttering over their knobsticks,

I never saw." Undismayed by these hostile signs, Wilson read his lecture in a loud, clear voice, and soon the tokens of disapprobation gave place to shouts of applause. The rest of the course, which consisted of more than one hundred daily lectures, was scarcely less successful. These lectures have not been printed; but we suppose it will be generally conceded that Wilson failed as a teacher of moral philosophy properly so called, although his lectures were brilliant and popular productions, and he always secured the esteem and affection of his pupils.

Two years after his appointment to the chair of Moral Philosophy he published his first and best-known work of fiction, the "Lights and Shadows of Scottish Life," a collection of short tales designed to portray the ordinary life of the Scotch peasants. Many of these sketches are marked by great tenderness and pathos, though they are deficient in naturalness. The incidents separately considered are not improbable, but the characters are almost without exception purely ideal creations, and such as could seldom or never have been found in the circumstances in which they are placed. This work was followed in 1823 by another, of higher pretensions, but exhibiting the same general characteristics, "The Trials of Margaret Lyndsay"; and in the summer of 1825 he published a third work in the same department of literature, but of inferior ability to its predecessors, under the title of "The Foresters." In the autumn of the same year, in connection with Mr. Lockhart, he brought out, under the fanciful title of "Janus," a collection of miscellaneous essays, poems, and tales, designed as the first of a series of annual volumes to be published under the same title. The work was a thick duodecimo, and its contents, which consisted of original papers and translations, were furnished almost entirely by Wilson and Lockhart, in nearly equal proportions. Many of the papers were of great merit; but the work did not meet with a sufficient sale to justify its continuance, and the second volume did not appear. After the failure of this undertaking Blackwood's Magazine was almost the only channel through which Wilson's productions were given to the public, though he occasionally contributed to other works.

Meanwhile much dissatisfaction had been excited in Edinburgh by his failure to lecture on Political Economy, which study he was required to teach as a part of the duties of his professorship; and early in 1825 application was made to the British government for authority to establish a separate chair of Political Economy. Wilson stoutly resisted the institution of the new professorship, on the ground that it would be an interference with his vested rights; and he had sufficient influence with the Ministry to prevent the proposed plan from being adopted. But in order to silence his opponents, he was compelled to prepare a course of fifty lectures on this subject, which he delivered alternately with his course on Moral Philosophy. Of the merits of these lectures Mrs. Gordon says nothing, and it is probable, therefore, that they did not produce a very strong impression on any of his pupils, several of whom have communicated to her their personal recollections of him. They are now as utterly forgotten as his more popular course.

During the great struggle on the Reform Bill, he fully shared in the excitement of that memorable period, and not only wrote in the Magazine in opposition to Parliamentary Reform, but also came forward as a public speaker. At a meeting held in Edinburgh, he spoke at considerable length on the subject, and repeated with unwonted eloquence the familiar commonplaces by which the Tory orators and writers endeavored to uphold the existing system. In the following summer he spent several weeks in a cruise with the experimental squadron, visiting several of the principal places in the South of England, and in Ireland. Of this cruise he gave a minute account in a series of letters to his wife, which are printed at length by his daughter; but however interesting to his family these letters may have been at the time, they are scarcely worthy of publication.

Not long after his return from this pleasure trip, we find him engaged in an endeavor to effect a reconciliation between Blackwood and the Ettrick Shepherd, who had been for some time estranged from each other. The letters which he addressed to the latter on this occasion have been preserved, and are not only among the best-written of his epistolary productions, but are also remarkable for their good sense. "My dear

Shepherd," he writes in his first letter, "from the first blush of the business I disliked your quarrel with the Blackwoods, and often wished to be instrumental in putting an end to it, but I saw no opening, and did not wish to be needlessly obtrusive. Hearing that you would rather it was made up, and not doubting that Mr. Blackwood would meet you for that purpose in an amicable spirit, I volunteer my services — if you and he choose to accept of them — as mediator." He then proposes as the basis of the settlement, "that all mere differerences on this, and that, and every subject, and that all asperities of sentiment or language on either side, be at once forgotten, and never once alluded to, — so that there shall be asked no explanation nor apology, but each of you continue to think yourself in the right, without taking the trouble to say so." But in one particular he thought that Hogg ought to make some acknowledgment. In Hogg's Autobiography an allusion to some pecuniary transaction with Blackwood was inserted, on which a direct charge of dishonesty had been based, and, as Wilson justly remarked, Mr. Blackwood could never make up a quarrel with a man who doubted his integrity. "It is your bounden duty, therefore," he urges, "to make amends to him on this subject. But even here I would not counsel *any apology*. I would say that it is your duty as an honest man to say fully, and freely, and unequivocally, that you know Mr. Blackwood to be one, and in all his dealings with you he has behaved as one." Hogg's reply was not satisfactory, and Wilson felt that he could not, under the existing circumstances, be of any use in effecting a reconciliation between the parties, though he expressed a willingness to give his advice in the matter whenever it was desired. Finally, through his exertions and those of other persons who were interested in the matter, a satisfactory arrangement was concluded; and not long afterward Blackwood died. In the course of a few months Hogg followed him to the grave.

Two years after Hogg's death Wilson's heart was saddened by a heavy affliction, which cast a shadow over the whole of his subsequent life. On the 29th of March, 1837, his wife died. Mrs. Wilson, as we have already intimated, was not a person of much intellectual force. But she was sincerely

attached to her husband, and shared to the full his Tory prejudices. "I never look into a newspaper now," she writes in one of her letters after the passage of the Reform Bill; "and my only comfort is in reading the political papers in Blackwood, and remembering that I have lived in the times of the Georges." In the domestic circle she seems to have discharged all her duties with the strictest fidelity; and her death left a void in Wilson's heart and home which even the tender assiduity of his daughters could not fill. When he resumed his college duties six or seven months afterward, it was with the recollection of his loss still fresh in his mind, and it was some time before he was able to speak. Then he simply said, with a tremulous voice, — "Gentlemen, pardon me, but since we last met I have been in the valley of the shadow of death." And the same deep sorrow was on him when he sat down to write. For two or three years after his wife's death he continued to be a regular contributor to the Magazine, and then his contributions almost entirely ceased. During the last thirteen years of his life he wrote but twenty-one or twenty-two articles, or less than one half of the number which he wrote in the last two years before her death. Some new sources of enjoyment, however, were opened to him by the marriage of his two oldest daughters, especially by that of his second daughter, "who, along with her husband, found a home for eleven years in her father's house." Her husband, Mr. J. T. Gordon, now Sheriff of Midlothian, was a Whig, and, as Mrs. Gordon pleasantly remarks, "introduced to his father-in-law's house new visitors and new elements of thought; old prejudices disappeared, and 'Christopher North' was frequently seen in the midst of what once was to his own party the camp of the enemy." Among those with whom Wilson was once more brought into familiar intercourse were Jeffrey and Cockburn.

In the latter part of 1840 he wrote and published his eloquent and exhaustive essay on "The Genius and Character of Burns," certainly one of the best of his critical papers. A few months later he presided at a public dinner given at Edinburgh in honor of Charles Dickens, and pronounced a brilliant and hearty eulogy on the writings of that great novelist,

then in the zenith of his fame. In 1844 he took an active part in the preparations for another celebrated public gathering, the Doon Festival in honor of the memory of Burns, on which occasion he walked seventy miles to be present at the meeting, and made one of his most powerful and effective speeches. Three years afterward, on the formation of the Edinburgh Philosophical Institution, he was chosen its first President, and made the opening address. Then came an interval of nearly three years, which his daughter describes as a "blank, relieved by no letter, by no work." As early as 1840 he had experienced a slight paralytic attack, which deprived him of the use of his right hand for nearly a year, and seems also to have left the imprint of its withering touch on his mind. Now its effects were again apparent in a listless inactivity, from which he was roused only by the marriage of his eldest son, in June, 1848. In the autumn of that year he paid a visit to his son at Billholm, in the beautiful valley of the Esk. From this visit he returned improved in both bodily and mental health, and with a conviction that he might still be useful.

In 1849 he began a new series of papers in Blackwood's Magazine under the title of "Dies Boreales," which were continued almost to the close of his life; and in the same year his third and youngest daughter was married to Professor Aytoun. Meanwhile he still continued to discharge the duties of his professorship with the same fidelity to his own view of their nature and requirements which he had hitherto exhibited. Occasionally he would wear a more cheerful aspect; and in the company of his grandchildren he took a measured satisfaction. He would frequently accompany them to the Zoölogical Gardens, where his graphic descriptions and animated stories would soon gather many amused listeners round the little party. At other times he would fish with them in imaginary rivers and lakes, unhooking the phantom trout, and cautioning his grandson not to allow his line to be entangled in the trees. In 1848 he made his last visit to Elleray, but the recollections of his early life there were too painful, and he soon returned home. Though his house in Edinburgh was no longer what it had been, it was still the place in which he was most anxious to be.

At length his health began to fail more rapidly, and in the winter of 1850 he was obliged for the first time to suspend his attendance on his classes; but after a brief respite he resumed the discharge of his duties, and with much exertion he was able to finish his lectures. The summer vacation brought little relief, though he was persuaded to accompany a family party to the Highlands, where he had frequent opportunity to indulge in his favorite amusement of fishing. On his return to Edinburgh he was induced to resign the Professorship which he had held for thirty years; and shortly after his retirement a pension of three hundred pounds a year was granted to him by the Queen, on the recommendation of Lord John Russell. Toward the close of the year he paid a visit to his brother Robert, at Woodburn, near Dalkeith, and there he remained until the autumn of the following year. While at Woodburn he wrote his last two contributions for Blackwood's Magazine; and during the same visit he gave a remarkable proof of the change which time had wrought in the strength of his partisan feelings. On occasion of the general election of 1852, though so feeble that he could scarcely walk, he returned to Edinburgh, not to give his support to the Tory candidate, but to vote for the greatest literary ornament of the Whig party since the days of Joseph Addison. As Wilson entered the committee-room to give his vote for Macaulay, shouts of applause showed how such an act was regarded by all who were present; and every reader of his Life will concur in the judgment thus pronounced on it.

The next two years are almost a blank in his life. His physical condition remained without material change; but it was evident to all that his mental powers were surely and rapidly failing. A visit from Lockhart served only to show to each of the two friends how complete a wreck the other had become, and could have afforded but little satisfaction to either of them. As the months glided on, Wilson's mind became more and more clouded. He took little interest in passing events, and it was with difficulty that he could rouse himself to any exertion. At length, on the 1st of April, 1854, he was seized by another paralytic attack, and two days afterward he breathed his last, in the midst of his family. He was buried in the Dean Ceme-

tery, in the city where he had so long resided, and his remains were followed to their final resting-place by an immense concourse anxious to do honor to his memory. In the same consecrated ground are laid many of the most illustrious Scotchmen of this century, among whom we need name only four, — Lord Jeffrey, Lord Cockburn, Edward Forbes, and David Scott.

In this rapid sketch of Wilson's life we have not sought to exhibit the origin or to trace the growth of his opinions on any of the literary or political questions which engaged his attention, and we have in general abstained from direct criticism of his writings; but we cannot take leave of our subject without offering some remarks on the special characteristics of his mind, and on the comparative worth of his labors in different departments of literature. By nature he was endowed with a vigorous and healthy organization, which was strengthened by early and constant exercise in the open air; and he not only had a rare power of physical endurance, but could readily sustain a great amount of severe and continuous mental labor. He could walk forty or fifty miles in a day, and could write an article of as many pages, with only the briefest intervals of rest. Great as was Southey's industry, it was inferior to that of Wilson, though the former worked with a more dogged perseverance. When Wilson was engaged in the preparation of an article, he "began to write immediately after breakfast," says Mrs. Gordon, "that meal being despatched with a swiftness commensurate with the necessity of the case before him. He then shut himself into his study, with an express command that no one was to disturb him." If his work was likely to require a day or two, "he never interrupted his pen, saving to take his night's rest, and a late dinner served to him in his study. The hour for that meal was on these occasions nine o'clock; his dinner then consisted invariably of a boiled fowl, potatoes, and a glass of water, — he allowed himself no wine. After dinner he resumed his pen till midnight." With such exertions as these, continued for more than thirty years, we need feel no surprise that his mind finally broke down.

In that mind a certain rough vigor was strangely united with great delicacy of fancy. We see examples of the first

quality in his prose: the second is the distinguishing characteristic of his poetry. His wit was sharp and trenchant, and was used with remorseless severity. His humor was broad, and sometimes even coarse, and was one of the most powerful weapons of attack in his controversial papers, as well as the most striking feature of his more genial productions. He had, moreover, great keenness of intellect, and his mind was stored with vast treasures of information on nearly every subject. His logical powers were not of a high order, and if political considerations had not been permitted to turn the scale, he never could have been a successful competitor with Sir William Hamilton for the chair of Moral Philosophy which had been filled by such men as Dugald Stewart and Dr. Thomas Brown. He seems always to have been a firm and sincere believer in the truths of Christianity, but as he advanced in life his religious convictions deepened and strengthened; and when he wrote his essay on "The Genius and Character of Burns," he made it a point of special interest to inquire whether Burns was a regular church-goer at Dumfries, whether he was on habits of intimacy with any clergyman in the town, whether when he was dying he read the Bible more than formerly, and whether he had regular family worship at Dumfries. In early life he was an uncompromising Tory of the strictest sect, but afterward he became an advocate of free trade, and at a somewhat later period his opinions underwent other changes.

His style was racy and natural, and in general vigorous. He had a great mastery of the Scotch dialect, and his knowledge of it he turned to good use in the "Noctes." There are few things in humorous literature better than the representation of the Shepherd, with his shrewdness, his wit, and his boundless egotism. Wilson's command of the resources of the English language was not perhaps so striking, as the perfect ease with which he expressed himself in this unfamiliar dialect; but his English style was nevertheless admirably adapted to be the vehicle of his thoughts. In dialogue it was fresh, sparkling, and vivacious; in narrative and description it was animated and picturesque; and in his critical papers it was clear and exact, often brilliant, and sometimes impassioned and

eloquent. As a speaker he was not always correct; but this defect generally passed unnoticed by those who listened with admiration to his glowing sentences, and who were irresistibly borne along with him in the rapid flow of his eloquence. Both in the lecture-room, and when making an after-dinner speech, he gave free play to his imagination; and his success was uniformly great.

As a writer his reputation has undoubtedly declined since his death. During his life his popularity depended in large measure on the "Noctes Ambrosianæ"; but however attractive these papers were in their original form, it will be generally admitted that they suffered much by being brought together, even after the judicious omissions made by Professor Ferrier. Read at intervals, they had a freshness and vivacity which seemed to afford ample compensation for many obvious defects, but, read consecutively, they weary all except the most devoted admirers of this kind of productions. His poetry was deficient in strength and originality; and of this defect he seems to have been fully conscious. His two longest poems, and most of his shorter pieces, were written before he was thirty; and after the publication of the collected edition of his Poems, in 1825, he almost entirely ceased to express himself in verse. His prose fictions are often characterized by exquisite tenderness and pathos, but as pictures of Scottish life they have little or no merit. He saw things too much through the medium of his own imagination, and made his characters what he wished them to be, rather than what such persons must have been from the very necessities of the case. As an essayist he has a much higher claim on our regard, and many of his imaginative papers in the "Recreations," and in the first two volumes of Professor Ferrier's edition of his "Essays," are among his choicest productions. But it is in his critical papers that the real vigor of his mind is most fully exhibited. His keenness of analysis, and his quick perception of every kind of beauty, give to these a value which none of his other writings possess. His papers on "Homer and his Translators," in particular, furnish the most convincing evidence of his ripe scholarship and his critical acuteness.

Art. XI. — 1. *Histoire de France depuis les Temps les plus reculés jusqu'en* 1789. Par Henri Martin. Quatrième Édition. Paris. 1861. 17 vols. 8°.

2. *Catalogue de la Bibliothèque Impériale de Paris. — Histoire de France.* 8 vols. in 4. Paris: Didot. 1861.

The year 1820 should be gratefully remembered, at least among the French, as one of the most remarkable in the annals of modern science. It was then that Augustin Thierry, "young, poor, and unknown," first published in a Paris paper, called *Le Courier*, those historical letters which may be said to have opened a new era in the science of history. A stanch supporter of the party which under the Bourbons made such strenuous efforts to obtain for France a constitution akin to that of England, Thierry was investigating the origin of the French monarchy in quest of proofs and arguments to support his political opinions, when the irresistible attraction incident to historical researches soon revealed to him the career which he was destined to pursue with such eminent success. A critical survey of old charts and chronicles brought to light a multitude of facts previously misunderstood or unknown, which gradually altered all his notions of past events, and convinced him that a truthful history of France was yet to be written. Not only many deeds related in Mezerai, Velley, and the most noted historians had no existence save in their imagination, but the leading inferences drawn by the few philosophers who had attempted from facts really known to deduce principles and general considerations, were totally void of truth, and conveyed a most erroneous notion of the sources and characteristics of the race. The words *French*, *Throne*, *Monarchy*, gave then, so to speak, the philosophical formula of the primeval history of France. We all recollect Thierry's eloquent description of his surprise and emotion, when permitted to peruse for the first time that chapter in Chateaubriand where the Franks are depicted in their true light. "Decked with the skins of bears, seals, aurochs, and wild boars," — such appeared that *French king*, Chlodio, who in fact was only a German chieftain who never ruled over a foot

of the present territory of France; or that other *Roi*, Clovis, whose army is made to embrace Christianity at a time when they and the rest of the nation were much better Christians than they have ever been since. In like manner did it fare with France, — its territory so fantastically defined, and its monarchy invariably made to represent an unbroken succession of fourteen centuries, although those early *kings*, Pharamond, Merowig, Chilperic, and their successors for many years after them, were scarcely superior to the Ojibway or Pawnee chiefs who roam over our Western prairies. The fact is — however paradoxical — that, if we wish to find the origin of the French monarchy, we must search for it "this side of the feudal times."

The doubtful veracity of the historians was not their only fault. Even if all the facts had been given in their chronological order, the compilations of the last three centuries would still have lacked that first requisite, — then unknown, now an object of ridicule among a certain class of writers, — which is called in French *la couleur locale*. Take, for instance, that praiseworthy attempt to give a veracious account of the acts and deeds of the Franks, from the time when the tribe first appeared under that name to the fall of the Merovingian dynasty, the *Gesta Francorum* of Adrian de Valois (1646–58). Strictly speaking, this is as faithful as chronological details can make it, and some scholars may deem it for their interest to consult all of its three folio volumes; but as an historical composition it is not readable. And when we compare it with the "Narratives of the Merovingian Times," although Valois, as well as Thierry, follows, step by step, Gregory of Tours, almost the only authority, we see at a glance that what is requisite in history is not a summary of names and dates, and battles fought and conquests accomplished, but that, whatever it may be, which vivifies the times, the men, the events, and gives the reader a deep insight into the nature, motives, and ruling passions both of the victor and the vanquished.

It was through Thierry that students of history were first enabled to gain a clear conception of the Gallic world and races as they existed in the sixth century. The men he describes

are really the men of those barbarous times, and not, as had before been the case, moderns fancifully travestied. We witness the antagonism, not of wholly unlike races, as we were led to believe, but of straggling clans which had already borrowed from each other manners, laws, almost religions. We see Gallo-Romans approaching to the Barbarians, Barbarians resembling the Gallo-Romans, and beneath that mass, already congenial in many respects, and destined soon to be merged in a homogeneous people, the degenerate Romans, — a connecting link between the contending parties. The scenes described initiate the reader into the mysteries of a life which has not its like with us or around us, and the most insignificant episodes are made to exhibit in a vivid light the inner workings of past events strange and suggestive. The immediate result of Thierry's works was to remodel the entire method of history, and to create a school which numbers among its disciples the greatest names of modern science and literature, so that the French may now boast of a series of national histories which stand unsurpassed. They have Augustin Thierry, and his brother Amédée, Fauriel, and Barante, paving the way for Henri Martin and Michelet, who are succeeded — in the order of subjects — by Thiers, Mignet, and Vaulabelle. Through these writers we have an unbroken series, commencing with the first exploits of the Gauls, some say in the sixteenth century before Christ, to end with the Bourbons ; — from seventy to eighty volumes which combine historical truth, as far as the knowledge of the times and the spirit of the age permit, with literary excellence and tolerable political impartiality.

Such vast results cannot, however, be ascribed to one man entirely, great as may have been his genius and influence. There were many causes which, though latent only, did nevertheless exist long before Thierry. For instance, no other country possesses so voluminous a mass of original documents as France. The Catalogue of her Imperial Library devotes eight quarto volumes to a mere enumeration of titles relating to her history, the first of which alone contains nearly fourteen thousand articles ; and among these we find such collections as the Recueils of Montfaucon,* Dom Bouquet,† Dom

* 5 vols. folio, 1729 – 1733.

† 22 vols. folio, 1738 – 1855.

Rivet,* and Laurière.† On the score of national gifts, we must also admit that the French genius is well adapted to the science of history. Among the special endowments for this work we would name a mind thoroughly analytical, ordinarily averse as a rule to details and minutiæ; an irresistible desire to generalize and ascend to principles; a disposition to seek in all branches of human knowledge collateral proofs and examples; ingenuity in the choice of methods; enthusiasm in the pursuit of great ideas; readiness to employ to advantage all new discoveries, and, finally, that sort of abnegation which prompts a writer to select one particular period, even under its most ungrateful aspect, to devote to it all his energies, and thus to smooth for others, who alone reap the honor, a task which, though difficult in itself, frequently depends upon the previous labors of many such modest workers. We may add to these national qualifications, a language elegant, forcible, and remarkably clear, which forbids all ambiguity. The great historians are, also, kept in check by an array of technical critics, themselves incompetent to produce anything original, but singularly happy in their mode of criticism, and always on the alert to detect and expose to ridicule the least mistake or inconsistency, and by the salutary dread of a public opinion altogether without mercy.

These advantages, however, are not without their offsets. A vivid imagination wellnigh counterbalances the analytic faculty, and impatience to arrive at definite principles prompts hypotheses which ultimate investigations do not always confirm. Anxious to command the attention of all classes of readers, the historians frequently strive to "make points," — adorn their perorations with epigrams and antitheses, and illustrate their leading chapters with obsolete anecdotes and personal details, which, although not uninteresting, are sometimes out of place in stately historical compositions. They seem to be constantly in search not so much of truth as of originality; yet many among them are wont to work in schools, to keep up traditions, and to follow in the wake of some bold leader, whose novelties of style and method they take great pains to imitate with a sort of clock-work regular-

* 22 vols. 4to, 1733 – 1859.

† 21 vols. folio, 1723 – 4–.

ity. Another defect consists in a very exalted opinion of the power and destiny of their native land. All nations are proud of themselves, whatever may be their real greatness or insignificance; nor is this much to be regretted. National vanity often urges a people to extraordinary efforts, that become in the course of time landmarks which they ever afterwards endeavor to reach. Whether true or fancied, their martial deeds form the theme of popular traditions, which throw a certain ideality over the history of the people, well calculated to arouse all their energy and patriotism when needed. We are, therefore, disposed to view with indulgence the exaggerated praise which historians rarely fail to bestow, when about to relate the exploits of the nation they wish to instruct or flatter; but we must say there is a limit to rhetorical patriotism. And now that we are sufficiently enlightened to bear the truth, provided the dose is small and gently administered, the least we can expect is, that modern historians should not base their voluminous compilations upon comparisons invidious to other nations, however flattering to their own. The French, we are sorry to say, till of late tolerably sober in that use of self-congratulation, do, in their more modern works, indulge in it with a redundance strongly suggestive of Oriental hyperbole. Witness the following from the Preface to M. Henri Martin's celebrated History of France.

"Sons of the Gauls by our birth and natural dispositions; sons of the Romans by our education; revivified by intermingling with the German barbarians at a time when ancient civilization was losing its vitality; connected by old alliances with Iberia and Greece, — we can now see that not accident alone directed the blood of all the great races of antiquity to mix with Gallic blood in our veins, nor produced the slow formation of the French people upon this Gaulish soil, which, placed in the centre of Europe, embraces all climates, unites all products, and lies in close proximity to all nations. Such could but be the field prepared by Providence for a nation destined to become the band of the European sheaf, and the pioneer of modern civilization; for a nation which was to unite the greatest originality with a unique aptness in combining the qualities and leading traits scattered among other peoples, and to become, as it were, an epitome of Europe; — in fine, for a nation supremely comprehensive and supremely active, which from its infancy has represented in the world the doctrine of the

immortality of the soul with as much sublimity as Judæa represented the principle of God's unity; which saved the West from Islamism, raised and lowered the Papal theocracy, recovered in its bosom, under the thick sediment left by the Germanic invasions, the glorious traces of Greece and Rome; which was, by turns, the focus of Catholicism and the cradle of Philosophy, and crowned its heroic deeds by planting the standard of liberty and equality upon the ruins of the feudal world; thus imposing upon itself a new mission, in which, God grant, it may never fail!"

Great as may be our desire to believe in the existence of another chosen people, destined to inaugurate in this sublunary world of ours a sort of political millennium, — and perfectly willing that a task so grand should be ascribed to the French nation, towards which we feel no ill-will whatever, — we are loath to follow M. Martin throughout the length and breadth of this magnificent eulogium, and wish to apply to it one of the tests so frequently used in the French school of criticism. They say, and it is almost a truism, that a long series of historical facts is to be judged by their ultimate results; those facts forming a continuous chain of events, all philosophically connected, and tending towards ends necessary and beneficial. It is not unreasonable to assume, that one of the most necessary and beneficial of a nation's constant efforts, — that which reflects in a true light its genius and aspirations, — consists in the devising, perfecting, and securing of that ruling power, the fountain-head of a nation's greatness, called *government*. A people's claims to superiority and supremacy may, therefore, be meted according to the intrinsic worth and absolute excellence attained in this paramount object; for, as M. de Maistre justly observes, "Les peuples n'ont jamais que le gouvernement qu'ils méritent." We now beg the student of history to examine the forms of government the French have always had, and that in which they glory now.

Withal, especially as historians, they may be said to have greatly distinguished themselves; not that until recently they could boast of any one historical composition embracing all their annals, and perfect; but they always possessed histories of great merit, in whatever light we may wish to view them. As far back as the sixteenth century their repeated attempts

in the difficult task of constructing a national history, based upon original sources, evince an erudition and method which did not exist in the other branches of knowledge at the time. To this day the works of Pasquier (1560) and Fauchet (1579) command the respect of historical students, even when compared with the magnificent compositions of Machiavelli and Guicciardini, which they imitated and strove to surpass. Mezerai himself (1643–1651), were it only on account of his forcible style and his independence, fully deserves a popularity of nearly two centuries. The History of Father Daniel (1696–1755), although containing many errors and the most intolerable partiality, is a very creditable production. When treating of the origins of the French monarchy, he boldly points out untruths which it required nearly a century to eradicate from the compendiums in daily use; and it certainly showed much boldness in a writer who belonged to the order of the Jesuits, to eliminate from French chronology, as early as 1696, not less than four spurious kings. He was persecuted for it, and to that spirit of intolerance which lasted so long we may perhaps ascribe the imperfections and reticences to be found in all the historical works published in the eighteenth century. Freret, an historian of the loftiest genius, whose multifarious essays are considered as masterpieces to this day, was committed a prisoner to the Bastile for having attempted to dispel, in a celebrated memoir, the grossest errors touching the origins of the French nation. What that man might have accomplished, if left to follow the natural bent of a powerful mind, may well be inferred from his various contributions to the Memoirs of the Academy (1714 *et infra*). He had to relinquish his profound investigations into the early history of France, and applied his genius to studies which were not fraught with such terrible dangers. And what was the result? Hear Thierry: "His admirable clearness of mind extracted a new science from darkness and chaos. The chronology of times deprived of history, the origin and migration of nations, the affinities of languages and races, were for the first time established upon a sound basis."

French history, viewed philosophically and politically, was

also the object of thorough investigations at an early date. We find Francis Hotman, in his *Franco Gallia* (1573), a work which held its reputation for more than two centuries, boldly proclaiming that the kingly power was formerly elective among the Germans and Franks, and that despotism is of modern date. At a later period, but under the same influence, though with very different motives, a nobleman, Boulainvilliers, sets the whole thinking world in motion with the startling axiom, that feudal government is the master-piece of the human mind, and that all the civil liberties enjoyed by the masses are so many encroachments upon the rights of the nobility. A man of the people, Dubos, takes up the gauntlet, and attempts to prove that the Franks never conquered the Gauls, who simply permitted them to settle upon the ruins of the Gallo-Roman empire. Then come the great Montesquieu, who vainly endeavors to hold an equal balance between these two extremes, and Mably, who forms out of all preceding systems a sort of political eclecticism, which has at least the merit of inclining in favor of free institutions. We mention those works simply on account of their originality and erudition, which are certainly surprising when we consider the men, the times, and the government under which they were written. Why Hotman and Dubos were permitted to express such advanced opinions, while Freret was incarcerated in a dungeon, has always been a matter of surprise to those who seem to forget that incongruities and contradictions are not incompatible with the workings of a tyrannical government.

It would be long and tedious to mention the names and works of all the French writers who down to our time have given evidence of rare talents, and obtained success in the field of historical investigation; but we cannot dismiss the subject without speaking of Fauriel, who died in 1844. No literary character ever left in France a memory so universally dear to his contemporaries as Claude Fauriel. As a man, his simplicity never failed to command the love and respect of every one; as a scholar, his reputation will certainly be enduring. He worked incessantly for the sake of truth alone, and shunned rather than courted the admiration which his

disinterested efforts always elicited. His original researches, which covered nearly the whole range of human knowledge, were always at the disposal of any one who wished to make a given subject his own; and we know of very few literary or scientific men of any note, now living in Europe, who are not indebted to him for a certain share of their reputation. In that brilliant array of poets, critics, historians, and scholars of all classes, who shed such lustre on the first quarter of the present century, we find many who, in public and in private, gladly acknowledged their great obligations to the modest Fauriel. Madame de Staël, Chateaubriand, Guizot, Ampere, and the two Thierrys, in France; Goethe and Schlegel, in Germany; Manzoni, Monti, and Botta, in Italy; not to speak of the multitude of second-rate personages who have since risen into eminence, — all pronounce his name with gratitude and veneration. History, in its high and philosophical sense, was the object which he pursued with zeal and delight. True it is, that he was likewise a literary man of the first order; but he always made literature subservient to history. If he published a work on the popular songs of Modern Greece, it was not so much to set forth their literary merit as to commemorate the noble patriotism which breathes through every line in them. Nor is this all. Like a true historian, he delighted in ascending to the mysterious times when history and poetry were blended, in the only form, perhaps, which could insure their perpetuity. In his History of Provençal Poetry, he chiefly endeavors to exhibit the dawn of modern civilization; for it was in the South of France that the new state of things which arose from struggles so often renewed between the German conquerors and the Roman world first assumed a definite organization; "and the ideas which ruled the Middle Ages, finding in chivalry their social form, and in Provençal poetry their first expression, reached thence over all the European nations." This latter work, however, was to be simply a division of the great history which his untimely death prevented him from completing.

The second part,* which is the only part that he completed and published, gives an exhaustive survey of the events in

* History of Southern Gaul under the German Conquerors, 4 vols., 8vo, 1845.

Gaul, from the great invasion of the Barbarians in the fifth century, down to the dismemberment of the Frankish empire under the last Carlovingians. Unlike many historians, he does not strive to command the interest of his readers by terrible accounts of bloody feuds, but seeks, under the obscurity which seems always to cover the existence of the masses when once the silent victims of invasions and conquests, the latent remains of a civilization destined to come to life again, and the aspirations of that unfortunate people so often ruined and enslaved by foreign hordes. If some of the more modern historians have adduced many specious reasons to prove that those invasions were a real blessing, as they are supposed to have infused some fresh blood into the decayed body of the Latin races, the reader may rest assured that our author is far from showing such unqualified admiration for conquerors who retarded rather than advanced the rise of a new Gallo-Roman civilization. Judging from the title, one might suppose that Fauriel limits himself to a history of the South; but he gives a general history of the whole of Gaul during five centuries, and one to which nothing of importance can ever be added. It is a noble work, which possesses all perfections except style. Fauriel might have written with as much force and elegance as any of the most celebrated authors of his time; but subject and incidents so absorbed him, that he never deemed it a matter of importance to give an attractive form to any of his works. His full capacity to add literary perfection to all other merits is rendered strikingly evident by certain recitals, as the Revolt of Gundovald, for instance, which is scarcely inferior to the best narrations of Thierry, his pupil and friend.

With so many works of sterling merit, all of which laid bare historical periods before imperfectly known, it was to be expected that the French public should long for a general history, covering the entire ground from the Merovingians to the Bourbons. All the old convents, collections, and archives had been explored, and public libraries flung open to crowds of eager students, who sought with feverish enthusiasm some fact, date, or name long forgotten, and likely to shed new light upon obscure passages in their annals. Not satisfied with republishing Joinville, Froissart, Comines, and that host of good old chroniclers, a society had been formed for the pur-

pose of translating for the first time, and publishing in a cheap form, a vast number of memoirs which had long lain buried in oblivion. A first collection, under the able editorship of M. Guizot, numbering not less than thirty-one octavo volumes, soon gave way to another, much more complete, in fifty-two volumes, with a continuation in seventy-eight, and a supplement in fifty-six. Reviews, papers, essays, theses, chiefly devoted to history, began to pour upon the reading public with distressing rapidity. All those valuable contributions might well have formed an historical encyclopædia, but never could supply the place of a critical history. In presence of such progressive studies, the works of Anquetil and Lacretelle could not but appear intensely ridiculous; and yet they were the only ones in use. We grant that Sismondi's *Histoire des Français* was held in high esteem by scholars, who found it profitable to quote those thirty volumes, which form a complete and authentic repository of facts, good for consultation, but certainly tiresome, and in many respects totally inadequate. Years elapsed, and the historical fever which Guizot's celebrated lectures on French civilization had carried to its height somewhat subsided, or rather shifted from the Merovingian and feudal times to the more recent periods of the Revolution, Consulate, and Empire. A short time previous, a sort of exotic philosophy of history had become the hobby of certain scholars of note, who devoted their ingenuity to critical reviews and symbolical explanations of facts, before accepted as perfectly intelligible and undeniable. The results obtained by those votaries of Vico, Hegel, and Herder may form the subject of some further disquisition; but for the present suffice it to say, that they did not prove satisfactory to the large majority of readers, who went back rejoicing to a study of mere facts, and soon became clamorous for a national history, which should sum up, in a form attractive and critical, the successful labors of so many historians of undoubted impartiality and erudition. Seeming accident at last realized this most natural desire in a people proud of the past, impatient of the present, and, as we have just seen, claiming the future as their own.

When M. Thiers first wrote his now popular History of the French Revolution, in 1823, he was but little known to fame,

and the publishers deemed it necessary to connect his name on the title-page with that of a man, then somewhat noted, now altogether forgotten, called Felix Bodin. Bodin's claim to this distinction was the purpose on his part to add an Introduction, bringing the History of France down to the year 1789; which, however, never was carried into effect. Thiers's work, under the management of a new publisher, Furne, having proved eminently successful, the plan of publishing an historical introduction was revived. It seems that such a preliminary composition had become absolutely necessary; for the Belgian counterfeiters, without waiting for Furne, took the first epitome they could find, and inserted it in the first volume, where it has not ceased to figure, at least in those miserable reprints. Furne addressed himself to Paul Lacroix, a bibliographer and novelist of great erudition, better known under the name of Jacob the Bibliophile; who referred him to Henri Martin, proffering at the same time the aid of his own name and extensive library. This was in 1833. Martin, then a young man of about twenty-three, who had lately arrived in Paris from St. Quentin, in search of literary employment, which he greatly preferred to the drudgery of an attorney's office, gladly accepted the proposal, and entered at once into his new duties. Gradually the horizon seemed to widen before him; and finding that his classical attainments were not adequate to the task, he renewed with uncommon diligence and success the objects of his early studies. In the first two or three volumes he had made free use of Sismondi, Amédée Thierry, and Michelet; but when reaching the mediæval times, he derived such benefits from a thorough study of the old chroniclers, that, yielding to the advice of his friend Jean Reynaud, he determined to rewrite and remodel the first volume, which he then based upon a complete survey of the original documents. Thus availing himself of all previous labors and modern discoveries, he diligently revised and perfected almost every chapter in his great work, which, instead of being a mere introduction to Thiers's *Revolution and Consulate*, became a most valuable history, entirely original and independent. We have before us, under the date of 1861, what is generally called the fourth edition; but it is doubtful whether there ever were four editions of the

sixteen volumes of text (the seventeenth is wholly devoted to an analytical index). The first forty or fifty books only seem to have been republished so many times.

In the year 1834, a gentleman of the name of Gobert died, leaving a sum of more than eighty thousand dollars, invested in the public funds, the annual interest on which, amounting to twenty thousand francs, was divided into two prizes of ten thousand each, to be distributed annually, one by the French Academy, for the most *eloquent*, the other by the Academy of Inscriptions and Belles-Lettres, for the most *learned* work on the History of France. In 1844, the Academy of Inscriptions awarded the prize in its gift to Henri Martin. Augustin Thierry had been the recipient of the other ever since its foundation, not only because his historical compositions were the most eloquent and perfect in the language, but also in consideration of his almost entire dependence upon the pecuniary compensation attached to this distinction. We may even add, that to his very limited means must be ascribed his constant refusal to be elected a member of the Academy, — an honor which would have cost him his only income. After the death of Thierry in 1856, and again in 1859, the French Academy conferred this much-coveted prize upon Henri Martin without a single dissenting voice. It was the just reward of a work of uncommon merit, which certainly stands foremost among the compositions of the kind in the French or any other language. We do not pretend to say, however, that after this no one will ever attempt to write a history of France, or that it is destined to keep its place for all time to come, as many of M. Martin's friends are inclined to believe. It is the best *now;* but as the science of history is eminently progressive, other compilations must and will follow, embodying the results of further researches, and, to all appearance, philosophical considerations of a higher import or more entirely undeniable than any as yet enounced by M. Martin. Judging from the unexpected results published in several monographs of modern date, it may be that several periods will need to be rewritten, some curtailed, and others lengthened, simply on the score of facts thus far misunderstood or but partially known. Such seems to be the destiny of all works which rest upon a basis apparently scientific and sure, but admitting of such a

wide scope as never to assume the definitive and incontestable character belonging to compositions where the imagination plays no part whatever. As a work of thrilling interest, it has rarely been equalled. The most barren epochs are presented in an attractive form, which allows the reader to find in biographical and literary sketches a compensation for that dryness often unavoidable when the historian wishes to state the truth, and nothing but the truth. Some parts are treated in a masterly manner; and it is generally conceded that the several chapters devoted to a critical analysis of literary characters and works present the most complete and trustworthy history of French literature as yet written. The history of philosophy, from the ordeal to which it was subjected in the mediæval school, to its final development under the Cartesians, not only in France, but in Holland and Germany, is set forth in a clear, elegant, and comprehensive form. The intricate systems of Spinoza and Leibnitz, well digested and lucidly summed up, impart to the reader, at a very light cost, an amount of knowledge previously accessible to very few. The arrangement is perfect, and evinces a method which must remain as a standard for all future historians; for whatever may be the results of further investigations, it is evident that they cannot alter our present conception of the entire field of French history, which, we think, is now complete, at least in its general outline. From this vast panorama it will be easy to extract scenes, incidents, and generalizations that may be worked into philosophical systems, and proofs to refute or sustain systematic opinions. These opinions, however, can never exercise a lasting influence, if incorrect, so long as the data from which they were derived are properly and fully stated; — because the reader may then judge for himself; as will certainly be the case when he is called upon to sift the theories so elegantly embodied in M. Martin's work. We should, therefore, view with liberality the interpretations — not to say hypotheses — which abound in the history before us; receive with great confidence the materials on which they seem to rest; admire the eloquence and genuine enthusiasm which vivify almost every line in the work; and absolve the spirit that prompted the author to extract from the whole conclusions so flattering to his nation and countrymen.

Art. XII. — CRITICAL NOTICES.

1. — *Adjutant Stearns.* Boston: Massachusetts Sabbath-School Society. 1862. pp. 160.

This touching little memorial of a brief and honored life is from the pen of President Stearns of Amherst College. His son, Adjutant Stearns, of the 21st Massachusetts Regiment, was killed at the battle of Newbern. In simple language, never rising above what a father might write, the story of the young collegian's life and death is given. The chief charm is the patriotic fervor of the son, and some of his words are worthy to be used as inscriptions on our banners. He was a Christian soldier, loyal to his country and to his God. While we admire the soldier, we love the Christian, whose honored and cherished name is now added to the list of martyrs whose blood is to be the price of our regenerated liberties.

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2. — *Country Living and Country Thinking.* By Gail Hamilton. Boston: Ticknor and Fields. 1862. pp. 461.

This is a volume of essays, three of which have been published in the Atlantic Monthly, while parts of some of the others have appeared in the Boston Congregationalist. The name of the writer is assumed. The papers already published have excited considerable interest, and many will open this volume with pleasurable anticipations. The author has, perhaps, been injudicious in allowing the best portions of her book to be printed in advance. The remainder suffers by comparison. In the book as a whole, there are life, sparkle, vigor, intensity, and shrewdness in abundance. In consideration of these merits, it would be just to assign to her a very high place in the department of literature which she has chosen. Yet her very merits are in some cases exaggerated into faults. Her intenseness, for instance, gives to her style an energy which is in some cases almost startling, and holds the reader captive, while it precludes that graceful ease, that calm and meditative rumination, which is the great charm in the Country Parson. Where she means to be subdued, even, she is epigrammatic and nervous. In one of her essays, that on the Civil War, her genius has full swing, and the force and fervor of her style are hardly surpassed by Andrew Marvell himself. She has at command a rich range of illustration from the scenes of daily life, which has the effect of humor, and none can read her book without many a

hearty laugh. She employs an unusually full vocabulary, and often glides into a round and beautiful passage descriptive of natural scenery or expressive of feeling. She has a fund of good, hard common-sense, and her papers have their fair share of practical wisdom. On the other hand, she is inordinately fond of paradox; and the reader becomes so blinded with her conceits, that he is almost ready to distrust what is true and wise. She introduces a needless amount of slang, thus creating an unpleasant contrast with the graceful finish of which she shows herself abundantly capable.

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3. — *Les Papimanes.* Dédiés à Monseigneur de Poitiers. Par G. Mabru, Laureat de l'Institut. Paris: Poulet-Malassis. 1862. 12mo. pp. 360.

M. Mabru professes sincere reverence for genuine religion, and admires nothing more than a priest who minds his business, cares for his people, and lets politics alone. But for the "priest-party" — for Dominicans, Jesuits, and Ultramontane prelates — he has nothing but hatred and scorn. They are fair subjects for his mockery, and he showers upon them epithets of vituperation. His dedication of "Les Papimanes" to the Bishop of Poitiers is a fair specimen of the temper of the book: — "To you, who personify all the violence and hatred of the Ultramontane party, who seek to draw the mind and the religion of the weak into your own errors, who trouble consciences in confounding the temporal order with the spiritual order, who make the masses fanatical by carrying over the domain of politics into that of the Gospel, — to you is the dedication of this book."

Good Catholics will hardly admit the piety of a writer who, in professing such regard for the Church and such zeal for its success, borrows so largely from the scoffers, from Rabelais, Erasmus, and Voltaire. The sentence from Pantagruel on the cover will not be a recommendation to devout readers. Yet we are bound to allow that, in spite of Rabelais so freely quoted, the tone of M. Mabru's work is neither gross nor sceptical. He is as much in earnest as Dr. Döllinger or Father Passaglia, and he speaks in order to influence, if possible, the mind of France in the right direction. His high praise of the sagacity and statesmanship of Napoleon III. is evidently something more than politic adulation. He believes in the liberal purposes of the ruler whom the people have chosen. As a hearty foe to the aristocratic party, he exalts the Bonapartes in order the more to degrade the Bourbons, and especially that younger Orleans branch, which has his entire contempt.

M. Mabru treats with derision the idea that there is any danger to the Church in the separation of its Head from all secular power; on the contrary, he sees in the speedy abdication of the Pope as a temporal sovereign the only chance of safety for the existing ecclesiastical order. Like the Abbé Michon, he finds that the Holy City of Palestine is a fitter capital for Christendom than the home of the Pagan Cæsars, and suggests that the tomb of Christ is a better shrine for the prayers of the chief Bishop of the Church than the tomb of Peter, — that he can bless the world more appropriately from the manger of Bethlehem, and that the earthly Jerusalem is the logical preparation for the heavenly Jerusalem. It is a great deal better for the Christian soul of the pontiff to live in an atmosphere of prayer, of self-denial, free from all worldly passions and political agitations, and to show in such sacred retirement an example of the *peace* which the Gospel preaches.

M. Mabru does not believe the monstrous rule of cardinals necessary to the prosperity of the Church or the honor of religion. In his view, "evangelical morality," which is the essence of true religion, is not dependent upon any form of administration. It is substance, and not form, which the Church wants. "All religions are true, when they are just, humane, progressive, and liberal." The conclusion of his argument, as it is concisely expressed, is, that the Roman Church must either get rid of its Jesuitism, reform its abuses, and ally itself to the liberal policy of the French empire, or else be "rigorously expelled" from the realm. It must throw down its idols and give itself to the work of popular education, else the enlightened sense of Europe will not tolerate it longer.

Of course a book of this kind could not be allowed to circulate without every possible hinderance from the ecclesiastical party. The priests were not slow in demanding its suppression, and in bringing against it charges of sedition and blasphemy. An injunction was placed upon it; all the copies that could be obtained were seized; the author was compelled to explain the obnoxious sentences, and only after a delay of weeks was the book allowed to appear in a second edition. In the Preface and Epilogue to this second edition the author ingeniously manages to turn indignation upon his enemies for their attempt to smother free speech. Their effort, in this instance, has been as futile as in the case of the more celebrated Renan.

Such books as this, sustained by court favor, and allowed to circulate among the masses in France, must do immense harm to the upholders of the ecclesiastical against the secular power. They indicate the evident policy of the Emperor; and beyond question multitudes

will adopt as their rule of action the motto in doggerel Latin, which M. Mabru would have "engraved in indelible letters, and by special engravers, over the doors of all seminaries, small and large, and as obligatory upon all Levites";—

"O vos qui cum Jesu itis
Non ite cum Jesuitis."

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4. — *La Vie de Village en Angleterre; ou, Souvenirs d'un Exilé.* Par l'Auteur de l'Étude sur Channing. Paris: Didier et C^ie. 1862. 12mo. pp. vi. and 352.

If the scenes and events brought before us in "Village Life in England" are, as the writer intimates, part of a true history of his own experience, there is certainly some want of delicacy in publishing them. It is not in good taste for an author to make us acquainted with his own love-passages, when his ostensible purpose is, not to write an autobiography, but to describe scenery, manners, and customs. Apart from this violation of good taste, the "recollections" of the French Exile are very interesting; all the more so, that they are natural, simple, and without exaggeration for the sake of effect. They take up many of the customs which are illustrated in the Pickwick Papers, but are very far from caricaturing any of these. The Frenchman is a lover of English life and Englishmen, and by no means shares the prejudice of his nation against perfidious Albion, while he still retains a patriotic preference for his native soil. With the exception of short visits to the cities of London and Winchester, which enabled him to examine the Ragged Schools, the Blind Asylum, the Mechanics' Institute, and the Society for Book Distribution, his whole description of England is confined to an account of Kingsford and Lynmore, a small village and a large village, their inhabitants, high and low, rich and poor, their homes, their sports, their industry, and their worship. The author takes us to meetings of vestrymen and meetings of magistrates; to the dinners of the aristocracy and to the alehouse gatherings; to the Sunday schools, the week-day schools, the schools of the gentry and of the peasants; to the "clubs," medical, commercial, social, and philanthropic; to a cricket-match, a cattle-show, and a "*lecture*," which seems to have been to him a very novel idea; interspersing in these special narratives bits of scenery and personal portraits. In the Rev. Mr. Norris he shows us the type of an English Broad-Church divine, sympathizing with every movement of freedom, — a man of large and generous culture. He does not hesitate to declare his admiration of the English aristocracy, and to express his belief that some

such class is necessary to the health of the social state. At the same time, he prefers that the peasant should own a patch of land, which he may cultivate with good heart, rather than be always the tenant even of a merciful landlord. His ideal of a true system is one which shall combine the excellences of the French and the English.

The most remarkable institution mentioned in the volume is the Hants and Wilts Educational Society, founded in 1853, the object of which is to aid literary and scientific institutions, libraries and reading circles, to circulate books, to establish evening classes and schools, and to sustain courses of free public lectures. This society has already taken large proportions, and has been successful beyond the most sanguine hopes of its projectors.

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5. — *La Vie dans le Nouveau-Monde.* Par XAVIER EYMA. Paris: Poulet-Malassis. 1862. 12mo. pp. 355.

WHEN will the reservoir of stories, legends, recollections, and impressions of American life and manners, upon which M. Xavier Eyma has been drawing for the last nine years, be finally exhausted? In 1853, he began the series with an account of the "Women of the New World"; and the issue which now comes under our notice completes the dozen, though it by no means closes the list, of his American reminiscences. He has given two goodly octavos to a solid criticism and description of American "men and institutions"; two more octavos to a history of the States and Territories; one volume to the "Black-Skins," in which he sketches with admirable fidelity the peculiarities and the iniquities of slave life in the South; and one volume to the "Red-Skins," in which he shows the Indian tribes as they are. Besides these, he has told of the islands of the West Indies, of their corsairs and buccaneers, and of the social life of the various classes in America, native and immigrant, and has devoted one amusing volume to "American Eccentricities." In such a mass of material there must of course be repetition; nor are any of the views especially profound. M. Eyma is in no sense a philosopher. He loves story-telling better than disquisition, and arranges his materials rather for romantic effect than for scientific accuracy. His reflection and prophecy are incidental rather than essential, even in the gravest of his works.

In this new collection there are five chapters. He first illustrates the crimes of Southern society by a story of New Orleans, half tragic, half comic; the scene of the second narrative is in Cuba, in the neighborhood of Havana, and around a tale of blood are grouped very pleasant sketches of the plantation life of that rich island and the manners

of the gay Creole city. The third chapter is devoted to the Everglades of Florida, and the Indian wars, with Billy Bowlegs as the hero. In the fourth chapter, statistics of emigration and gold-hunting are given, with descriptions of Castle Garden in New York, the forwarding of emigrants through the States, and the caravans on the plains of the West. The closing chapter is on the "Political Life" of the United States, in which the author takes occasion to relate the career of the late Senator Douglas, who was his particular idol as a statesman, and for whom he electioneered in 1860. In the whole volume there is nothing new to an American reader; but its tone is kind and generous, the sympathies of the author are with freedom, and his admiration for our system of government is undisguised. In accuracy of observation, Eyma's volumes compare very favorably with those of his English brother novelist, Trollope, and they are certainly far more pithy and piquant in their style. Occasionally, indeed, we meet with strange and ridiculous exaggerations, as where it is said that "in the United States there are few persons, honest or knavish, criminal by accident or by habit, who have not occasion to buy the silence of the police." According to Eyma, the American police is mainly made up of rascals and their accomplices.

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6. — *Le Monténégro, Histoire, Description, Mœurs, Usages, Législation, Constitution, Politique, Documents et Pièces Officielles. Avec une Carte du Monténégro et des Pays Adjacents.* Par HENRI DELARUE, Secrétaire du Prince Daniel 1er (de 1856 à 1859). Paris: Duprat. 16mo. 1862. pp. xiv. and 182.

THE singular promise and accomplishments of the young Henry Delarue, the rare beauty of his character, the union of conscientiousness, courage, kindness, and humanity with a quick and comprehensive genius, are described in the Preface to this posthumous work by the friend who knew him best, and can most fitly tell the loss that the literature of France has sustained by his early death. This book upon Monténégro, small as it is, is enough to show what its author could have done, had his life been spared. Its comprehensive title is not a misnomer. It does tell — concisely indeed, but very clearly — all that we need to give us correct ideas of the history, customs, morals, laws, and political condition of that province in the mountains of Illyria which has maintained its independence alike against Christian and Moslem, against the Kaiser and the Sultan. Delarue knew the brave mountaineers, and loved them. He admits that they are rude in manners, uncultivated, fanatical in their devotion to their Church, and im-

placable in their hostility to hereditary foes; yet he contends that they are essentially a noble people, in form, in mind, and in heart, and are capable of large development. No race has a finer physique, — one more free from morbid tendencies, or more capable of enduring privation and hardship. They are not a people who love war for its spoils or its excitements, and they have no care to enlarge their territory by conquests, or their wealth by predatory raids into other provinces. All that they ask is to "be let alone," to live unmolested in their rocky glens and fastnesses, and to retain without hinderance their cherished institutions.

For centuries this province of Monténégro, the "Black Mountain," was a theocracy, ruled by a bishop, who was at once a hero in the fight, a counsellor in the cabinet, and a priest at the altar. It was with great reluctance that the people consented to lose that feature of their constitution, and to allow their lineal bishop to take the title of "Prince," rather than his more sacred name. The change from ecclesiastical to secular sway has not increased the strength of the tribes. Prince Daniel, notwithstanding his great popularity, was murdered some two years since, and the position of his successor is very precarious. It is with the accession of the young Nicholas, in 1860, that the narrative of Delarue breaks off. Prince Daniel is naturally enough a hero to the man who was his friend, adviser, and assistant in the government. The portrait which Delarue has drawn of him will seem too flattering when some acts of Daniel's cruelty are remembered, especially the banishment of the poet Cuca, whose verse was the honor of his people.

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7. — *Lettres Inédites de* JEAN RACINE *et de* LOUIS RACINE, *précédées de la Vie de Jean Racine et d'une Notice sur Louis Racine.* Par leur Petit-Fils, L'ABBÉ ADRIEN DE LA ROQUE, Chanoine Titulaire d'Autun, et Ancien Vicaire Général Honoraire du même Diocèse, etc. Paris: L. Hachette et C^ie^. 1862. 8vo. pp. 459.

A COLLECTION of unpublished letters from the pen of Racine is an unexpected and welcome gift to every admirer of the great French dramatist, even though they throw no additional light on his own productions or on those of his illustrious contemporaries. Of their authenticity there can be, we think, no doubt. The editor, the Abbé de la Roque, is himself the great-grandson of Racine's eldest daughter, and his mother is the only one of Racine's descendants who personally knew the widow of Louis Racine, the poet's youngest son. "Most of the letters of Racine," he writes, "which now appear for the first time, are addressed to his sister, Marie Racine, afterward Madame, or, ac-

cording to the usage of the time, Mademoiselle Rivière. A few are addressed to her husband, who to the title of Doctor of Medicine added those of Counsellor of the King and Controller of the Salt Magazine at La Ferté-Milon. Madame Rivière, who enjoyed a long and happy life, never left the birthplace of her ancestors, and her descendants still remain there. There, in this family sanctuary, the precious correspondence of which we are now to speak has always been preserved with a religious care." And in nearly the same words, he writes in his Introduction that "the originals of the Inedited Letters of Racine have been transmitted through many generations as the most precious portion of the family inheritance." The letters thus preserved are twenty-four in number, extending over a period of about forty years, and are simple and natural in expression, and strongly marked by the tenderness and depth of affection which Racine so largely possessed. They have not much historical or literary interest, since they seldom or never allude to public affairs, and there is not, we believe, a single reference in them to any of the writer's works. It is only on account of the pleasing picture of his personal character which they present, that they are likely to be read, or are, indeed, worth printing.

The correspondence of Louis Racine, which comprises sixty-seven letters, and fills about a third of the volume, opens with a very amusing series of letters addressed to Mlle. Marie Presle de l'Ecluse, afterward Madame Racine, just before their marriage. The remaining letters, with the exception of three short notes, are also addressed to his wife. Though they do not exhibit such remarkable tenderness as characterizes his father's familiar letters, they embrace a somewhat wider range of topics, and give one a very favorable opinion of the writer's ability and personal character. They relate for the most part to matters of personal or family interest, but occasionally offer incidental remarks on subjects of a more public nature. As illustrations of the moral and intellectual character of a writer whose reputation has been entirely overshadowed by the splendor of his father's fame, but who was a man of note in his own age, they well deserve preservation.

To the letters which give a title to his volume the Abbé de la Roque has prefixed a tolerably full, and on the whole a satisfactory, memoir of Jean Racine, written indeed with the exaggeration which we should naturally expect to find in a Frenchman, a descendant of Racine, and a priest who looks with peculiar satisfaction on the last years of the poet's life, and who seems inclined to set a high value on the feeble tragedy of Esther. There are also a shorter notice of Louis Racine, and copious genealogical notes in respect to nearly all of the poet's descendants.

8. — *Abélard et Saint Bernard. La Philosophie et l'Église au XII^e Siècle.* Par EDOUARD BONNIER, Docteur en Droit. Paris: Charles Douniol. 1862. 12mo. pp. xiv. and 154.

IT is not surprising that the rationalistic discussions of our time should turn the attention of thinkers to the age when modern rationalism began to be, and to the teacher who was its earliest prophet. After the labors of Cousin, Guizot, Rémusat, and Böhringer, it cannot be expected that M. Bonnier will have much to tell about the work or the genius of Abélard; and even from his own Catholic stand-point his view of Bernard has been anticipated by the admiring sketch of his fellow-believer, the Abbé Ratisbonne. Nevertheless, the book of M. Bonnier is well written, and pleasant to read. Its verdict is as impartial as we could expect from one who regards the ascetic state as holy, and the Church as the proper dictator of all true science and all saving faith. Abélard, according to this writer, was not a malignant heretic, or an enemy to the Church; did not intend to teach anything contrary to its creeds, or to throw contempt upon its customs; and was dangerous only through the development of his principles, — only as the founder of a school. He was essentially a scholiast and a wrangler, believing in logic above all other things, and using vast erudition to enforce and illustrate his cunning dialectics. M. Bonnier, following Cousin, is disposed to deny that Abélard had the knowledge of the Greek language; yet we observe that he says that Abélard had read the whole of Plato's works in the "original text," an achievement which would imply a very considerable knowledge of the Greek language. He denies, too, that Abélard's love for Heloise was as strong as her love for him, or that it was ever a genuine and disinterested devotion.

So far as this volume has any purpose, it seems to be a vindication of St. Bernard from the charges brought against him of hatred and persecution against his great rival. According to M. Bonnier, Bernard did not originate the process against the champion of the school, and sympathized with it only so far as fidelity to the faith constrained him. He scouts the idea that one whose temper was so meek and whose charity so large as that of the monk of Clairvaux should have been a persecutor; that the friend of the Jews should have wished to crush a teacher who, with all his heresies, was still a Christian monk, and a friend of dignitaries in the Church. In this attempted vindication of Bernard, as it seems to us, M. Bonnier signally fails; and, except as a pleasant sketch of the leading events in the life of Abélard, his book is not of much value. He gives just enough to sustain his theory of the character of the philosopher, and to contrast the worldli-

ness and the Pagan taste of this idol of crowds with the severe virtue of the greater guardian of the Church and lover of God. The only remark which can bring his orthodoxy into question is, that "sanctification does not change the natural disposition of men." The only new fact which he mentions is, that the recumbent statue of Heloise on the tomb in Père la Chaise is not that of the Abbess, but of another nun of the twelfth century.

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9. — *A Memoir of* THOMAS BEWICK, *written by himself. Embellished by numerous Wood Engravings, designed and engraved by the Author for a Work on British Fishes, and never before published.* Newcastle-on-Tyne: Printed by Robert Ward for Jane Bewick. 1862. 8vo. pp. xix. and 344.

THE name of Thomas Bewick was much better known twenty or thirty years ago than it is now. In his own day he had a great reputation as an engraver on wood, and his works on natural history were deservedly held in high esteem. He was, in the strict sense of the term, a self-made man; but by his energy, and a faithful use of every means of self-culture within his reach, joined to a strong love of nature and a cheerful temper, he overcame the want of early education, and acquired great skill in his art, as well as a large stock of general knowledge. Early in life he adopted two rules for his future guidance, — never to permit his expenses to exceed his income, and never to buy anything on credit; and to these he appears to have rigidly adhered. From the first he was temperate and economical, and fond of out-of-door life. He was born at Cherryburn, in the county of Northumberland, England, in August, 1753, and after receiving such elementary instruction as he could obtain in the neighborhood, he was apprenticed, at the age of fourteen, to an engraver in Newcastle-on-Tyne. On reaching manhood he determined, before establishing himself in business, to see a little of the world; and accordingly he set out on a pedestrian tour through Scotland, successively visiting Edinburgh, Glasgow, Dumbarton, and the Highlands. The whole expense of this trip was less than three guineas. In the latter part of 1776 he went to London to seek his fortune; but the great city had so few attractions for him that no promises or persuasions could induce him to remain there, and he returned to Newcastle early in the following summer. "I told him," he writes in reference to the inducements offered by one of his friends, "that no temptation of gain, of honor, or of anything else, however great, could ever have any weight with me; and that I would even enlist for a soldier, or go and herd sheep at five

shillings per week, as long as I lived, rather than be tied to live in London." On his return to Newcastle he entered into business with his former master, Ralph Beilby, and in that city or its neighborhood he resided until his death, which occurred on the 8th of November, 1828.

The works by which he is best known are an illustrated edition of the "Select Fables," the engravings for which were drawn by himself, a "History of Quadrupeds," in two volumes, partly written by him, and illustrated with drawings from nature, and a "History of British Birds," written by him, and illustrated in the same manner. He also designed and engraved a considerable number of illustrations for a similar work on British fishes, but the work was not completed. When he was nearly seventy years of age he began to write the Memoir now before us, apparently with a view to immediate publication, and he was engaged on it down to the last week of his life. Some portions of it, especially the early chapters, are graphic and interesting, and present a very good picture of life among the common people on the eastern coast of England a century ago; but as a whole it disappoints the expectations which we had been led to form from the testimony of those who had read the work in manuscript. It is characterized too much by the garrulity of old age, and devotes a disproportionate space to the statement of the writer's opinions. What he thought about the French Revolution, Parliamentary Reform, and Catholic Emancipation was of very little importance when he wrote, and is not of the slightest interest now. A narrative of his life, on the other hand, would be both interesting and instructive, and we had purposed to prepare a detailed account of his life and works in connection with our remarks on this Memoir; but the materials accessible to us are altogether inadequate for the satisfactory performance of such a task. As a writer, Bewick was feeble and diffuse; and it was only when he exchanged the pen for the pencil and the burin that he showed how much real talent he possessed. "His works, indeed," says Leslie, in the "Handbook for Young Painters," "are of the smallest dimensions, but this makes it only the more surprising that so much interest could be comprised within such little spaces. The wood-cuts that illustrate his books of natural history may be studied with advantage by the most ambitious votary of the highest classes of art, — filled as they are by the truest feeling for nature, and, though often representing the most ordinary objects, yet never, in a single instance, degenerating into commonplace."

10. — *The Origin and History of the English Language, and of the Early Literature it embodies.* By GEORGE P. MARSH, Author of "Lectures on the English Language," etc., etc. New York: Charles Scribner. 1862. 8vo. pp. xv. and 574.

THE materials for a critical history of English literature are rich and abundant; but no one has yet digested them into any work which adequately represents the present state of our knowledge as to its origin and growth, or which satisfactorily analyzes its characteristics at different periods of English history. There have been, indeed, numerous compends of little research and critical acumen, as well as some important contributions to special departments of the subject. Among the most valuable of the latter class of works are the two volumes of Lectures for which we are indebted to the ripe scholarship of Mr. George P. Marsh, now Minister of the United States at the Court of Sardinia. The first series of his Lectures, which was published two or three years ago, was noticed with strong commendation in our pages on its first appearance, and has since reached a fourth edition; the second series, which is not less deserving of a favorable reception, is designed as a supplementary discussion of some of the topics considered in the former volume. It includes a course of twelve lectures read before the Lowell Institute in this city, in the latter part of 1860 and the beginning of 1861, and is marked by the same thorough knowledge of the subject, and the same sound principles of criticism, on which the author's previous work was based. The treatment is necessarily popular rather than strictly scientific; but, in the revision of the lectures for the press, much new matter appears to have been incorporated with the original text, and many additional notes and illustrations have been appended to the several lectures. The style is polished and luminous; and the numerous citations which have been introduced as specimens of the style of the various authors noticed have been carefully and judiciously chosen. Starting with an introductory lecture on the parallel and interdependent growth of the English language and literature during the early stages of English history, and on the various circumstances by which the progress of each was affected, Mr. Marsh traces in the remaining lectures the various modifications which the language underwent down to the close of the reign of Elizabeth, and describes the special characteristics of the literature of each successive period. Among the topics which are most thoroughly and elaborately discussed, and to each of which an entire lecture is devoted, are the "Origin and Composition of the Anglo-Saxon People and their Language," the "Anglo-Saxon Vocabulary, Litera-

ture, and Grammar," and the "Semi-Saxon Literature." Coming down to a later period, we have three able and judicious lectures on "The Author of Piers Ploughman and his Imitators," "Wycliffe and his School," and "Chaucer and Gower." The other five lectures include a somewhat wider range of topics, but each topic is considered with reference to the main subject, and in all the lectures we have abundant evidence of Mr. Marsh's special fitness for the task which he has undertaken.

11.—1. *The Book-Hunter, etc.* By JOHN HILL BURTON. Edinburgh and London: William Blackwood & Sons. 1862. 16mo. pp. 384.
2. *The Same.* With Additional Notes by RICHARD GRANT WHITE. New York: Sheldon & Co. 1863. 16mo. pp. 411.

MR. BURTON has acquired an honorable place in the literary history of Scotland by his Life of David Hume, and a History of Scotland from 1688 to 1745; and he is also known as the author or editor of several other works of less importance. The pleasantly written volume now before us gives evidence of a wide extent of reading and study, and will be gladly welcomed by all who are familiar with his other writings. It is somewhat miscellaneous in its contents; and it owes its origin to the favorable reception by the public of some papers on the ways of book-collectors, and other kindred topics, contributed by the author to Blackwood's Magazine. Under the stimulus of friendly criticisms on these sketches, he determined to recast his materials into a new form, and to publish a thin volume on the subject; but, as he proceeded, his plan expanded into new and wider relations, and the final result of his labors is a volume of nearly four hundred pages. It is divided into four Parts of unequal length, the first two describing the nature and functions of the Book-Hunter, and the last two giving an account of several Book Clubs and of Book-Club Literature. In each of these divisions, Mr. Burton has brought together many curious anecdotes and much valuable information; and he has also embodied many just observations on the nature and worth of the labors of mere book-collectors. Among the portions of his work which may be read with most interest and profit are those treating of "The Desultory Reader, or Bohemian of Literature," of the Book-Hunter's "Achievements in the Creation of Libraries," of "The Preservation of Literature," of "The Roxburghe Club," and of "Some Book-Club Men," and also the notices of John Spalding and Robert Wodrow. Scattered through the other chapters there are many noticeable passages, such, for instance, as the amusing description of De Quincey under the

pseudonyme of Thomas Papaverius, in the "Vision of Mighty Book-Hunters," and the well-chosen extracts from Sir Thomas Browne, in the chapter entitled "The Gleaner and his Harvest." Considered as a whole, the volume will be found an agreeable and instructive companion for a leisure afternoon, though much inferior to Mr. Burton's previous publications.

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12. — *The Canoe and the Saddle, Adventures among the Northwestern Rivers and Forests; and Isthmiana.* By THEODORE WINTHROP, Author of "Cecil Dreeme," "John Brent," and "Edwin Brothertoft." Boston: Ticknor and Fields. 1863. 16mo. pp. 375.

MAJOR WINTHROP'S literary life, though short, was not one of idleness. Already three completed novels have been selected from his manuscripts since his death, beside several shorter tales and sketches; and now we have a fourth volume belonging to an entirely different class of compositions, which will be read with scarcely less pleasure by all who are familiar with his other published writings. Apart from the fresh and unhackneyed interest of its themes, this new work claims our notice on account of the glimpses which it affords of the writer's personal character and habits, as well as for his picturesqueness of description and liveliness of tone. The style is less animated and brilliant than that of his other writings, and occasionally the narrative drags; but even with this abatement the book is one of more than ordinary merit. The first part, which fills rather more than three fourths of the volume, contains a record of a journey from Puget's Sound to the Dalles of the Columbia River, made in 1853, and was apparently designed for publication during the author's life. The second part comprises an account of a journey over a part of the Isthmus of Panama, and was not revised for the press by its author, but was thrown aside in an unfinished state, perhaps with the intention of using the materials in another form.

In every part of the volume we perceive the strongly marked traces of that love of nature which is so clearly exhibited in all of Winthrop's writings, and which gives to them such an irresistible charm. Though he had travelled much, and seen much of society, he appears to have been far more at home in the open air than among men. His descriptions of scenery and of out-of-door life have a freshness and an accuracy of detail which prove him to have been a genuine lover of nature, and to have possessed a keen and watchful eye. A full account of his life at Panama and in California could scarcely have failed to be a work of great and various interest; but as we have no reason to suppose

that any such narrative exists, we gladly accept the fragmentary record now before us. No one can read it without feeling an increased respect for the author, both as a man and as a writer.

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13. — 1. *The Patience of Hope.* By the Author of "A Present Heaven." With an Introduction by JOHN G. WHITTIER. Boston: Ticknor and Fields. 1862. 16mo. pp. 171.
2. *A Present Heaven. Addressed to a Friend.* By the Author of "The Patience of Hope." Boston: Ticknor and Fields. 1863. 16mo. pp. 172.

MR. WHITTIER has rendered an acceptable service in introducing these two little volumes to American readers. They belong to a peculiar department of religious literature, and some of the writer's opinions are at least of doubtful soundness; but they are written in a style so eloquent and persuasive, and are characterized by a spirit so humble and trustful, that no one can read them without pleasure and profit. Every page bears witness to the writer's earnestness of purpose and the depth of her religious experience; she has meditated long and profoundly on the great truths of religion; and Scriptural language seems to be the natural garb of her thoughts. It may, indeed, be justly objected to her view of the religious life, that the tendency of such a representation is to encourage the separation of the individual from society, and this objection Mr. Whittier attempts to answer in his Introduction to "The Patience of Hope." But such a tendency is not likely to prevail in our age or country; and the danger, if any, is more than counterbalanced by the positive benefit both to the individual and society which may be anticipated from the careful study of two works of such pure and lofty aim, and which are characterized by such evident sincerity and unusual depth of spiritual insight. Of the two books, the second is, we think, the best and most instructive, since it is more systematic in the development of the thought, and not less eloquent in expression, than "The Patience of Hope," and is less open to the objection to which we have adverted. Both volumes, however, are worthy of a place among the few books which are to be read often, and to be thoroughly pondered as closet companions.

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14. — *The Poet's Journal.* By BAYARD TAYLOR. Boston: Ticknor and Fields. 1863. 16mo. pp. 204.

BAYARD TAYLOR deservedly holds a high rank among our younger poets. He has a lively and delicate fancy, a rich and copious diction,

and much skill in versification, while his mind has been educated by foreign travel to a degree which has probably never been equalled in the experience of any other poet. His earlier poems were not only deserving of praise for their intrinsic excellence, but they were rich with a promise which has been amply fulfilled in his later productions; and it is gratifying to add that his last volume is his best. "The Poet's Journal," though it gives a title to his last collection of poems, fills but little more than half of the volume. Its general plan seems to have been suggested by Tennyson's "In Memoriam," but in the execution the poet departs widely from his model, and his work is said to be in large measure autobiographical. It is divided into three parts, each of which consists of a series of short poems, connected by a slight thread of narrative, and is supposed to be read by the poet to an intimate friend from whom he had been separated for several years. The separate poems are independent of one another; but each series is pervaded by one general thought, and all are intended to describe the successive steps which marked the gradual recovery of the poet from a state of unnatural depression, and the opening of new sources of happiness. Many of the pieces have great beauty of expression, and reveal much depth of feeling; and the whole collection is characterized by delicacy of sentiment and harmony of versification. Most of the other poems in the volume have already been published in different journals; and among them are several very striking and popular productions. They are now brought together in a collected form for the first time.

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15. — *The Autobiography of the* Emperor Charles V., *recently discovered in the Portuguese Language by* Baron Kervyn de Lettenhove, Member of the Royal Academy of Belgium. The English Translation by Leonard Francis Simpson, M. R. S. L. London: Longman, Green, Longman, Roberts, and Green. 1862. Small 8vo. pp. xlviii. and 161.

The evidence for the genuineness of this Autobiography is by no means conclusive, though we are not aware that any serious doubts on this point have been expressed either by Continental or English critics. From the Baron de Lettenhove's Introduction we learn, however, that the manuscript from which his translation has been made is contained in the Imperial Library at Paris, that it is in an "elegant and polished handwriting," and that it bears the following title, as translated into English: "The History of the most invincible Emperor Charles V., King of Spain, composed by his Imperial Majesty, as is shown by the paper on the following page, translated from the French, and from the

original at Madrid in 1620." On the second sheet, which contains a prefatory letter, is an indorsement to the following effect: "Copy of a paper placed at the commencement of this history, which was written in Spanish in the *manu-proprio* of the Emperor Charles V., and which was sent to Germany with this same history, by his Majesty, to his son the King Philip, then still Prince of Spain." Beyond the statement in the first of these inscriptions, that the document was translated into Portuguese from the original French, in 1620, or seventy years after it was drawn up, there is not a particle of evidence to show when, by whom, or for what purpose the translation was made; and we are no less ignorant as to the period when the manuscript was brought into France, and from what source it was obtained. On none of these points does the Baron de Lettenhove offer a satisfactory conjecture, though he thinks it is very easy to explain the motives which led to the translation of the narrative into Portuguese. It has long been believed, indeed, on the positive assertion of the Emperor's secretary, William van Male, and of some other writers, that about the year 1550 Charles composed an account of his life, or of some portion of it; but no trace of such a paper has ever before been found, and it was the opinion of Mr. Sterling, Mr. Prescott, and other recent writers, that the original manuscript was destroyed by Philip II. after his father's death, or that it had been in some other way hopelessly lost.

If we turn from the external evidence to the document itself, there is nothing in its general character, or in its contents, to throw doubt on its authenticity. It is such a narrative as Charles would have been likely to write at the time and under the circumstances described by Van Male; and its composition did not require a greater measure of intellectual ability than the Emperor undoubtedly possessed. The first sixty pages, which contain an account of his life from 1515 to 1544, are as dry and uninstructive as last year's almanac; but the remaining hundred pages, which relate to the transactions of only four years, from 1544 to the beginning of 1548, and are mainly occupied with an account of his invasion of France and of the war against the Protestants of Germany, are of much greater historical value, and may be read with considerable interest. As might naturally be anticipated, Charles tells his story in the manner least prejudicial to his own reputation; but it is, nevertheless, easy to see that he was obstinate and headstrong, and that he did not always keep faith either with his friends or with his enemies. The accounts of his cloister life at Yuste, first published a few years ago, did not place his character in a more favorable light than that in which it had previously stood; nor is this Autobiography likely to make any reader think better of him. On some points, in-

deed, we gain a new insight into his feelings and motives, but it would have been more to his credit if we had remained in ignorance. His own testimony only tends to confirm the judgment which has been commonly formed on other grounds; and in regard to his feelings toward Pope Paul III., we see more clearly than ever before how little claim he had to be esteemed a faithful son of the Church.

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16. — *The Pentateuch and Book of Joshua critically examined.* By the Right Rev. JOHN WILLIAM COLENSO, D. D., Bishop of Natal. New York: D. Appleton & Co. 1863. 12mo. pp. 229.

THIS is a much less important book than we had supposed it to be. It deserves to be carefully distinguished from the class of works which comprehends the "Essays and Reviews"; for they make a somewhat proud and jubilant parade of their scepticism, as a height from which to look down upon confiding faith, while Bishop Colenso entertains his doubts, such as they are, with profound reluctance, and gives them publicity only under a strong conviction of duty. His strictures relate almost wholly to the numerals and statistics of the Pentateuch and Joshua. These he shows to be in several instances either essentially impossible or mutually inconsistent, indicating, as he maintains, the historical untrustworthiness of those books, and their authorship at a date considerably posterior to the events they record. This statement represents one aspect of these books. If we are to regard them merely as history, they certainly have the defects that belong to an age when historical research and criticism were unknown arts, and when traditions and records were received, if they came through seemingly authentic channels, without a rigid scrutiny of their contents. If their value in the nineteenth century and to the Christian world consists in the accuracy with which they give us the dimensions of the ark, or the census of the Hebrews at the time of the exodus, or the number of priestly mouths there were to be fed on the sacrifices, our author has given them the *coup de grace*. But they have an entirely different aspect, in which they are impregnable alike to argument and to cavil. From a dark and idolatrous age they proclaim pure monotheism, and refer back to their origin in the creation or providence of God all the objects, beings, and phenomena that were deified among the nations of the earth. From the bosom of a rude and recreant race they promulgate a code of morals which, for profound insight, comprehensive scope, and harmony with eternal and immutable right, remained unparalleled and unapproached till the advent of Jesus Christ. In the very infancy of civil society they

contain the outline of a social and political organization, which consolidated a people whose heart had been eaten out by centuries of bondage, and inspired a national vitality more vigorous and persistent than has been witnessed in all human history beside, surviving, as it has, dismemberment and dispersion, and stretching its ever-fresh filaments of indomitable life and indiscerptible union through the whole civilized world. From a time of which extra-Jewish history or myth has preserved no record of character that is not degraded and deformed, they transmit to us the portraits of men who would have been greatly good in any age; — of Abraham, whose self-abandoning faith in God is worthily proposed as the model for the advanced Christian; of Joseph, whose vivid realization of the Divine presence marks a purer spirituality than we often witness now; of Moses, whose sagacity, prudence, enterprise, and prowess seem more miraculous when we regard them as without help or supplement from special inspiration, than when we receive the old theory of his peculiar mission from God; of Joshua, whose religious loyalty is made to appear so manifestly as the source of his courage and the soul of his patriotism. These features of the books under consideration admit of no other exposition than a divine element in their authorship. They bear as striking a contrast in their religious character with all other writings of similar antiquity, as they do in their historical character with the carefully compiled annals of a New England town; and if their deficiency in the latter point of view demonstrates that they were put together by men who had never studied in the school of Niebuhr and Grote, their pre-eminence in the former aspect as plainly proves their trustworthiness as religious records. And, be it remembered, it is only as religious records that they are quoted and sanctioned in the New Testament, or possess any permanent use for the instruction of mankind. It does not concern us in the least to know whether the court of the tabernacle was large enough to contain the Hebrew nation, or the altar capacious enough for the victims prescribed by the Levitical law (and these are among our author's chief difficulties in the narrative); but it does concern us profoundly that we can contemplate the Divine economy of salvation in its initial stages, in its early developments, in its first breathings of prophecy, in its types and foreshadowings, and thus can trace unity and mutual correlation in the various chapters and phases of man's religious history from Adam to Christ, — all which we can still do, without seeking or needing a solution for every critical difficulty that an ingenious and microscopic criticism might suggest. Indeed, the very features of these writings that give most ground for cavil attest their venerable antiquity, and thus

their substantial authenticity; whereas, had they the perfect precision and coherency which our author misses in them, this of itself would be sufficient to characterize them as the spurious productions of a much later epoch than the latest now assigned for them.

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17. — *Lectures on Moral Science, delivered before the Lowell Institute, Boston.* By MARK HOPKINS, D. D., LL. D., President of Williams College; Author of "Lectures on the Evidences of Christianity," etc. Boston: Gould and Lincoln. 1862. 12mo. pp. 304.

DR. HOPKINS regards moral philosophy as the science of ends. Some of the subordinate ends of his being man might ascertain by the exercise of his own powers upon his constitution of body and mind, and upon his experience of the consequences of actions. But of the supreme end of his being it may be reasonably doubted whether he could gain cognizance except through Divine revelation. Yet the teachings of revelation come within the scope of ethical philosophy, only so far as they are affirmed by consciousness or approved by legitimate deductions from consciousness. The end always determining the means, from the supreme and subordinate ends of man's being must be deduced the acts, habits, feelings, and volitions which naturally lead to the attainment of those ends. Moreover, though these ends are diverse, the means of attaining them must of necessity harmonize mutually; for the Creator cannot have proposed ends that are at variance with one another.

We have not space for an extended outline of these Lectures. They are marked by the directness, explicitness, massive thought, and cogent reasoning which characterize all that Dr. Hopkins has given to the press. We have more polished writers, but none who comes into closer quarters with his readers, and impresses his own mind more vividly on other minds. This volume, in its present form, would make a very valuable text-book, especially for our higher college classes; yet we hope that the author will not leave it permanently in the shape of lectures. It will admit of expansion in some parts; in others it might be condensed; and there are various collateral topics for which there was not room in a course of twelve lectures, but which belong properly to a class-book. With the changes and additions which would inevitably suggest themselves, should this work be reproduced in an altered form, it would, we think, for educational uses, be without a superior, and, we are inclined to add, without a rival.

18. — *Spots on the Sun; or, The Plumb-Line Papers. Being a Series of Essays, or Critical Examinations of Difficult Passages of Scripture; together with a careful Inquiry into certain Dogmas of the Church.* By Rev. T. M. Hopkins, A. M., Geneva, N. Y. Auburn: William J. Moses. 1862. 12mo. pp. 367.

The "difficult passages of Scripture" discussed in this book are incidents of the Old Testament narrative which, in the form that they bear in our translation, lay, as the author thinks, too heavy a strain on the faith of the reader, but for which he proposes interpretations that relieve the difficulty. In two of the three cases which he examines, he has reached results in entire accordance with the principles of an exegesis both rational and reverent; in the remaining instance, he claims on etymological grounds a peculiar and unprecedented rendering for a common and familiar Hebrew word. The "Dogmas of the Church" inquired into are certain dogmas that manifestly rest on tradition, and not on Scripture, and the author maintains with great tenacity and with a large affluence of argument and illustration — what might seem self-evident, had it not been virtually denied — that Jesus Christ taught the whole of Christianity. The work indicates on its writer's part firm faith in revelation, a devout reverence for its records, and an earnest desire to ward off groundless objections and cavils by distinguishing between what the Scriptures actually teach and what misinterpretation and unauthorized inference have superinduced upon their teachings. Mr. Hopkins has evidently been a very faithful student of the originals of the sacred writings, and has, we think, studied with his own eyes and mind rather than through the agency of commentators; for we find in his book very little of the stereotyped material which has passed from hand to hand, in Germany, England, and America, for the last fifty years.

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19. — *Eyes and Ears.* By Henry Ward Beecher. Boston: Ticknor and Fields. 1862. 12mo. pp. 419.

This is a collection of short articles on a great diversity of subjects, originally published, most of them in the New York Ledger, some of them in the Independent. They are both grave and gay, by which we do not mean that some are grave and others gay, but that the two elements interpenetrate each other as they do in our common experience of life. Mr. Beecher, indeed, is never so profoundly serious as when he seems the mere impersonation of drollery. When he lapses into homily, he is cold and superficial, while his humor scorches, and his

wit cuts deep. There is often sound logic in his play upon words, close reasoning in his banter, keen criticism in his caricature, scathing and merited invective in pages brimful of fun and frolic. His mirthfulness is unforced, and is manifestly his special gift, his choicest instrument of usefulness; and we believe it consecrated in his aim and purpose to the highest and holiest ends. We deprecate its exuberance in the pulpit; there are sacred themes which he approaches unbecomingly, with shodden feet and ungloved hands; yet in his own consciousness there is evidently no irreverence, and the effect on his hearers is such as could proceed only from a fervently devout spirit. But in such a volume as we have before us, there is nothing worthy of reprehension, and we must thank him for a rare combination of wit and wisdom, of amusement and instruction.

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20. — *An Historical Research respecting the Opinions of the Founders of the Republic on Negroes as Slaves, as Citizens, and as Soldiers. Read before the Massachusetts Historical Society, August* 14, 1862. By GEORGE LIVERMORE. Boston. 1862. 8vo. pp. 215.

MR. LIVERMORE does thoroughly whatever he does. A more perfectly and beautifully elaborated historical monograph than this has never been issued from the American press. An Introduction opens the question as it stands now, with the extreme Southern opinions as to the chattel and franchiseless condition of the black man, and the strictures of eminent Northern jurists and civilians on these opinions. We have then a full exposition and comparison of Northern and Southern views on the *status* of the negro at the epoch of the Revolution and in the infancy of our Republic, from which it appears conclusively that slavery was by general consent regarded as a temporary necessity, as an evil to be gradually removed, and that universal freedom was looked forward to as the ultimate and permanent condition of our entire population. Then follows the military history of American negroes, from Crispus Attucks, the leader and victim in the attack on the British troops which issued in the Boston Massacre, down to the action of the State of Virginia in securing the freedom of the slaves that had served in the army of the Revolution. It is abundantly proved that the colored race performed faithful service for their country, and were repeatedly recognized as valuable auxiliaries by the commander-in-chief, by numerous officers in the field, and by various legislative bodies. An Appendix records the services of negroes in the navy, in the war of 1812, and under various monarchical governments. The inference which we are left to draw from the entire series of testimonies and doc-

uments is the full and undoubted civic and military competency of the negro race. Mr. Livermore deserves our thanks alike for a faithful record of an important and hitherto neglected chapter of our national history, and for the vindication of the capacity and serviceableness of a despised and oppressed people.

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21. — *La Question Americaine dans ses Rapports avec les Mœurs, l'Esclavage, l'Industrie et la Politique.* Par LE CHANOINE DE HAERNE, Membre de la Chambre des Représentants. Bruxelles. 1862. 8vo. pp. 72.

M. DE HAERNE is a member of the Belgian Representative Chamber. He expresses strong sympathy with our republic, on the ground of a close similarity between the Belgian institutions and ours. He writes: —

"It will not seem out of place to show here, briefly, that, as regards Belgium, the cotton question is not the only one which interests her in the affairs of America. We have close constitutional analogies with the United States. If their institutions should fall, ours would suffer by reaction. We have copied the American Constitution, not only as to municipal and provincial decentralization, as to that of industrial, financial, charitable associations, etc., as to the great liberties of worship, of instruction, and of the press (of which the English charter offered us equally the model); but we have followed America particularly as regards the absence of a state religion, of which Catholic Maryland gave the first example; we have imitated her in the institution of an elective Senate, in that of a House of Representatives identified with the democratic interest. The national Congress voted the Belgian Constitution with their eyes fixed on the American Union. Were we to consult only the interest of Belgium, we ought to desire that the United States should continue to remain what they have been, and to give us the example of union, of the spirit of liberty, and of decentralization, — qualities which characterize the Anglo-Saxon race, with which the Belgians have bonds of relationship and close affinities." — p. 63.

M. de Haerne presents a rapid, but carefully elaborated, *résumé* of the history and present condition of the slave-power in our republic, with well-arranged statistical tables. He analyzes the alleged grounds of the present rebellion, and refers it primarily to the conflict between the aristocratic and republican tendencies of the two sections of the Union respectively, — tendencies whose dissiliency is to be ascribed solely to the moral influence of slavery upon the entire structure of Southern society. He enters somewhat at length into the tariff question, shows the futility of alleged grievances on the score of the protection given to Northern industry, and illustrates the position that

during the entire period of the Union of these States the South has enjoyed an immense preponderance of governmental protection. He confidently anticipates the ultimate triumph of Northern arms, and the gradual extinction of slavery by moral and Christian instrumentalities. As a loyal Catholic, he contrasts the cold and feeble philanthropy of Protestant sects toward the negro race with the express antagonism against slavery of the venerable mother Church. He comments with just severity on the interpolation by Protestant ministers in the marriage covenant between slaves of the words, "till inevitable circumstances separate us," as compared with the persistent refusal of Catholic priests to sanction in marriage aught other than an inviolable sacrament. The entire pamphlet commands our respectful and grateful interest, and though on some minor points we might dissent from the author, it is one of the most noteworthy, well-reasoned, and eloquent among the many essays from European writers which have been called forth by the present crisis in our affairs.

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22. — *The Slave Power: its Character, Career, and Probable Designs; being an Attempt to explain the real Issues involved in the American Contest.* By J. E. CAIRNES, M. A., Professor of Jurisprudence in Queen's College, Galway, and late Whately Professor of Political Economy in the University of Dublin. New York: Carleton. 1862. 8vo. pp. 171.

PROFESSOR CAIRNES has not, like some of his countrymen, rushed into our great American controversy armed with prejudices and partisan newspaper reports. His subject is evidently not new to him, but must have been his careful study for years. No American can have a more intimate knowledge than he manifests of our entire social, industrial, and political system as modified by slavery. He demonstrates the wastefulness of slavery as an economical system, its dependence on unlimited territorial expansion for prolonged existence, and the tendency of communities burdened with it to deteriorate in all the elements of civilization. He tears away the flimsy veil from all other pretexts for the present rebellion, and shows it to be simply the struggle of the slave-power to regain its lost supremacy. He urges upon the powers of Europe the policy of neutrality, and at the same time the duty of moral support for the North, so far as it may be rendered without express and forcible interposition. He anticipates ultimate success for the North; yet he regards separation as the probable and desirable result of the contest. He would have the border States, Texas, Arkansas, and Louisiana, incorporated with the Northern portion of the

republic, and won by compensated emancipation to the system of industrial freedom, while slavery in the limited Southern Confederation which would remain would be strangled for lack of room, and attenuated by the failure of its sources of supply, and might be confidently left to the process of natural decay.

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23. — *The Results of Emancipation.* By AUGUSTIN COCHIN, Ex-Maire and Municipal Counsellor of Paris. Work crowned by the Institute of France (Académie Française). Translated by MARY L. BOOTH, Translator of Count de Gasparin's Works on America, etc. Boston: Walker, Wise, & Co. 1863. 12mo. pp. 412.

THIS work has evidently been the result of prolonged research, and was prepared wholly without reference to the transactions of which our land has become the theatre; but for this reason it is for us the more timely and trustworthy. It is a history of emancipation in the French, English, Danish, Swedish, and Dutch Colonies, compiled from official documents and statistics. And it is mere history, not argument or appeal, nor yet a selection of facts made to sustain a particular theory, but such a book as a man with no heart would be compelled to make from the materials furnished to his hand. To be sure, M. Cochin incidentally betrays a strong sympathy with the colored race; but it is a sympathy which has not led him to add to or to take from the testimony which he professes to put on record. The only conclusion which can be drawn from the entire mass of facts here brought together, and from almost every portion of those facts, is, that emancipation is entirely safe, productive in an economical point of view, and in a moral aspect of essential and vast benefit to both parties. There is no need that we dwell on the momentous bearing of a book so able, thorough, and dispassionate upon the domestic questions of principle and policy which many of our people are now anxiously asking, and which we may be at any moment called to answer.

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24. — *Diary from March* 4, 1861, *to November* 12, 1862. By ADAM GUROWSKI. Boston: Lee and Shepard. 1862. 16mo. pp. 315.

THIS is, we doubt not, a *bona fide* diary, and it is written in the style in which one would be most likely to write for no eye but his own. Count Gurowski, as an intelligent, deep-seeing, and profoundly interested observer of the course of public affairs in his adopted country, certainly merits a candid hearing; but, on the other hand, his intensity of personal and political feeling may detract somewhat from the

deference else due to his opinions. The one feature that characterizes this book of his is bitter hostility to McClellan, — an hostility which certainly is authorized by his reading of movements and events, but for which we can see no ground of undisputed fact. On the other hand, we have no doubt whatever of the patriotism and the strategic skill of McClellan; whether he has the gifts of a great military leader seems to us an open question, which can be decided only when we know how far his plans and counsels have been circumscribed and thwarted by agencies beyond his control.

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25. — *Intuitions and Summaries of Thought.* By C. N. Bovée. In two volumes. Boston: William Veazie. 1862. 16mo. pp. 241, 245.

This is a series of aphoristic writings, alphabetically arranged, on all classes of subjects that could interest a man both of books and of business, of thought and of action, and of varying length, from a single sentence to several pages. They are for the most part fresh and racy, indicating a mind that does its own work in its own way. The writer has his full share of originality, so far as the substance of thought is concerned; but he especially excels in the art, or rather the spontaneous faculty, (for such it seems with him,) of reproducing familiar thoughts in an entirely new and often an attractive form, so that what is trite as a street pebble is made by the setting to appear a rare gem. We have enjoyed the book, and deem it one of the best of its kind, while the kind is of the best, of the most suggestive and fructifying.

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26. — *Memoirs of the Rev. Nicholas Murray, D. D.* (*Kirwan.*) By Samuel Irenæus Prime, Author of "Travels in Europe and the East," "The Power of Prayer," "The Old White Meeting-House," "Letters from Switzerland," &c., &c. New York: Harper and Brothers. 1862. 12mo. pp. 438.

Dr. Murray was an Irish boy, educated as a Roman Catholic, and converted to Protestantism and to a vital interest in personal religion only after his immigration to this country and his apprenticeship in the printing establishment of the Harpers. This fact accounts for his zeal and activity as an anti-Romanist, and for the adaptation of his controversial works (issued under the pseudonyme of Kirwan) to the capacity and needs of his countrymen in America. He early developed traits of peculiar promise, and was encouraged by his religious friends to prepare for college, with a view to the Gospel ministry. He was

graduated at Williams College in 1826, was subsequently a student in theology at Princeton, and was settled as a Christian pastor, first in the Wyoming valley, and then at Elizabethtown, New Jersey, where he died about a year and a half ago. His biography presents him as a model minister, and as endowed in the private relations of life with qualities that merited and won for him the confidence, affection, and reverence of all. There runs through the narrative just enough of individuality to give interest to the character and piquancy to the record, which — on the author's part well executed — is greatly enhanced in value by numerous extracts from Dr. Murray's letters and other writings.

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27. — *The Student's France. A History of France from the earliest Times to the Establishment of the Second Empire in* 1852. Illustrated by Engravings on Wood. New York: Harper and Brothers. 1862. 12mo. pp. 730.

A COMPENDIOUS and popular history of France has long been a desideratum, which is now well supplied. The historical student, of course, needs more ample records of certain principal epochs, but for intermediate periods there is a peculiar advantage in a narrative which shuns the details which it is impossible to remember, and confines itself to representative personages and salient events. This work is ably elaborated, well proportioned, and furnished with a peculiarly affluent alphabetical index.

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28. — *A System of Logic, comprising a Discussion of the Various Means of acquiring and retaining Knowledge, and avoiding Error.* By P. McGREGOR, A. M. New York: Harper and Brothers. 1862. 12mo. pp. 469.

THIS is an attempt to combine the minimum of technical phraseology with all that is essential in the processes of reason and judgment. We are inclined to think that the author has been entirely successful, so far as the needs of general readers and students are concerned; but we doubt whether his treatise contains enough of what is technical to serve as an introduction to works of a more recondite character. We confess, we do not regard with disfavor this simplification of a science whose office it is to interpret, clarify, and vivify the student's own consciousness; and though we prize the conventional terminology of the books for its precision and for its use as a common measure of scientific thought, we doubt not that the logical faculties may receive valuable culture without its aid.

29. — *A Manual of Information and Suggestions for Object Lessons, in a Course of Elementary Instruction. Adapted to the Use of School and Family Charts, and other Aids in Teaching.* By MARCIUS WILLSON, Author of "Willson's Historical Series," "School and Family Readers," &c., &c. New York: Harper and Brothers. 1862. 12mo. pp. 336.

THE theory which this book is designed to subserve is that according to which the education of children is to commence with concrete objects, and not with the elements of things. Mr. Willson explains, defends, and illustrates this system, and suggests a large amount of material for the teacher's use. The greater part of the volume is designed as a directory for the employment of a series of twenty-two charts for families and schools, constructed by the joint labor of Messrs. Willson and Calkins.

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30. — *London Lyrics.* By FREDERIC LOCKER. London: Basil Montagu Pickering. 1862. 16mo. pp. 143.

THESE are hardly lyrics, for no mortal would ever think of singing them; nor have they anything of poetry except the form, and now and then a flash of fancy or a touch of pathos. But they are bright, sparkling, and witty; they present sundry amusing sketches and episodes of London life, and they indicate in the author quick observation and ready sympathy.

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31. — *The Poems of* ADELAIDE A. PROCTER. Boston: Ticknor and Fields. 1863. 16mo. pp. 416.

THE general characteristics of this volume are those which mark all true poetry of the present day, and which we might comprehend in the one word *human;* including therein the introspection which makes a healthy or morbid self its anxious study; the sympathy which adopts as its own the privations, griefs, and burdens of the race; the restlessness which bemoans or denounces the short-comings and the wrongs of existing society; the prophetic spirit which beholds in the present the foreshinings of a better future for mankind. Where these traits are prominent, they are unfavorable to elaborate finish, — the burden which presses upon the spirit for utterance will not wait for the nice choice of words, and the elaboration of metrical harmony; but with rougher rhythm there is a higher inspiration, a warmer glow, a more epic march of thought, a profounder depth of sentiment, a richer affluence of such imagery as appeals, not to the æsthetic, but to the emotional nature. Among the poets of this school Miss Procter merits a distinguished place, and has assured to herself an enduring reputation.

32. — *Lyra Cœlestis. Hymns on Heaven.* Selected by A. C. THOMPSON, D. D., Author of "The Better Land," "Morning Hours at Patmos," "Gathered Lilies," etc. Boston: Gould and Lincoln. 1863. 12mo. pp. 382.

As the name imports, and as we should expect from the compiler, this is a singularly rich and beautiful collection of sacred poetry. With the best of the familiar poems on heaven, we have many that are new to us, and probably to most readers, some from the hymns of the ancient Church, some from the German, some from writers whose names are hardly known, but will not be soon forgotten.

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33. — *La Question de l'Esclavage aux États-Unis.* Par un Ancien Fonctionnaire des Indes Neerlandaises. La Haye: Martinus Nijhoff. 1862. 8vo. pp. 61.

THIS pamphlet, which the demand for "more copy to make even work" permits us to notice, is a friendly and warm-hearted essay on our present national difficulties, and on some of the practical problems which must tax our legislative wisdom and administrative skill, if peace be restored and the union of these States renewed. The author disclaims the right of intervention on the part of the great powers of Europe; but insists on the duty of mediation as incumbent on them on the ground both of policy and humanity. His pamphlet is devoted mainly to the prospective disposal of the slaves now held on our soil, and he brings to the inquiry much pertinent testimony from the East and West Indies, and some valuable fruits of his own observation during his term of official service. He maintains that immediate emancipation, whether with or without compensation to the masters, would be equally injurious to the white and the black population. It would be impossible, as he thinks, to retain the negroes as free laborers where they have been in bondage, especially as a savage independence and a rude subsistence might be secured in the vast regions of country still unsettled. Nor would any plan of colonization on a large scale be practicable, even were there an adequate supply of white labor to fill the void created by the deportation of the blacks. The author draws out in minute detail a plan for the gradual conversion of the slaves into freemen. He proposes that they be first — with adequate compensation to their masters from the general government — made apprentices, with the right and opportunity of purchasing their own freedom; that meanwhile they be placed under the protection of tribunals instituted for that express purpose; and that ample provision be made

for their moral and religious instruction, and for the education of their children. He maintains that they will have acquired by this process the habit and the love of remunerative industry, and that, when the last vestige of bondage shall have disappeared, there will be on the soil a laboring population contented, well-disciplined, thoroughly acclimated, in friendly relations with their former masters, and interested in the general prosperity of their respective communities. The discussion deserves high respect for its wisdom and its kindliness. The author has evidently studied carefully the condition of the dominant and the subject population of our Southern States, cherishes respect for the rights of property recognized by the fundamental law of the Federal Government, and is moved by a sincere desire for the restored and enduring peace and prosperity of our whole people. However impracticable such a scheme may appear in the present disturbed condition of our affairs, the rapid march of events may, at no great distance of time, propose for our solution the very questions which our Transatlantic friend attempts to answer.

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34. — *Annual Report of the Superintendent of Public Instruction of Kentucky, for the School Year ending December* 31, 1861. Frankfort. 1862. 8vo. pp. 164.

About one fifth part of this pamphlet is occupied by the Report of the Superintendent, Hon. R. Richardson; the residue, by the returns received from the school commissioners of the several counties. Mr. Richardson's Report is a document of signal ability and merit. We can best characterize it by saying that it is a lucid exposition of the present national controversy from the point of view afforded by his official station, — an exposition which is of itself an argument of irresistible force in favor of the Union and its defenders. Mr. Richardson openly charges the leaders of the Secessionists, not with indifference, but with hostility to popular education, and maintains that ignorance is distinctly recognized by them as their most effective and persistent ally. Their inroad upon his own State, he says, has been attended with loss and damage to the school system fully equal to the progress of the previous ten years. We quote a few striking passages from this remarkable document, and only regret that we have not room for more.

"Of the condition of the common schools in the seceded States little can be definitely known here; but there are many reasons for believing the interests of popular education among them fell prostrate at the very beginning of the rebellion. In not one of those States, if reports be true, is there now an organized school system in existence. Revenues dedicated to knowledge, which

ought to be held sacred even in the midst of a revolution that is shaking the foundations of our political system, have been misappropriated and squandered; and no one in all the land of secession seems as yet to have entered a protest against the evil. But two years ago the State of Texas possessed a school fund which could have furnished means amply sufficient to organize one of the noblest systems of popular education on the continent. That fund, parcelled out in a parental distribution by the general government of the United States, is now being frittered away in support of rebellion. There is probably no seceded State in which the school funds have been exempt from a similar destruction. The spirit of secession has not been more hostile to our nationality than it has been ruinous to that chief bulwark of our nationality, — education. And if the dark lineaments of the picture could be made darker still, let it be remembered that millions of those funds had been distributed to each and all of the rebel States out of the national treasury, with the implied if not the express purpose that they should be consecrated to uses very different from those for which they are now employed. Let it be remembered, too, that among the loyal States, Northern and Southern, perhaps without an exception, the funds received from the general government are still dedicated and set apart for the enlightenment of this and of future generations." — pp. 8, 9.

"Prominent, perhaps the most prominent, among those causes leading to the calamities which have befallen us, (as I have endeavored to indicate in the foregoing pages of this report,) has been a defective education of the people. It is in national as it is in individual character, not the temptation, but our proneness to be led into it, that makes us fall. Indeed, we may say more than this, — it is human frailty that invites and encourages the tempter. Can any one suppose that Davis, Yancey, Toombs, Benjamin, Chesnut, Slidell, Wigfall, and the rest, could have accomplished so much for ruin, had their lots been cast among a people thoroughly well-educated as well as completely free?" — p. 29.

"The statistical tables of our common-school department during the decade of years from 1850 to 1860 will inform us in what counties of our State common schools have been most largely established and sustained. I affirm that, almost without exception, *those are the counties which have been, during the present civil war, most distinguished for a cordial, immovable, and self-sacrificing attachment to the Union.*

"I trust it will not be deemed improper for me to cite the example of one county in this connection. The county of Pulaski is situate within a few miles of the Tennessee line; and has been a theatre of hostilities from the beginning of the war. Here was fought and won the battle of Mill Springs. Two years since this county reported a whole number of children of 5,014. Of this number 3,496 were in attendance on the common schools, — a percentage of more then *sixty-nine*, while the average percentage of attendance on the schools throughout the State was only fifty-six. Pulaski, as appears by the returns in the Adjutant-General's office, has contributed more men to the Federal army, in proportion to her population, than any other county in Kentucky!" — pp. 29, 30.

35. — *Titan: a Romance.* From the German of JEAN PAUL FRIEDRICH RICHTER. Translated by CHARLES T. BROOKS. In two volumes. Boston: Ticknor and Fields. 1862. 12mo. pp. 522, 521.

THESE volumes come to us as we are going to press, and we can barely announce their appearance. The Titan was intended to be the author's master-work, and in the verdict of the best critics it is so esteemed. Mr. Brooks's skill as a translator from the German is too well known to need our praise; and the purity and beauty of his English style insure for Jean Paul the most appropriate and attractive form into which his great creation can be transfused.

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36. — *The Knickerbocker, or New York Magazine of Literature, Art, Politics, and Society.* KINAHAN CORNWALLIS, Editor and Proprietor. New Series. Vol. I. Nos. 1 and 2. October and November, 1862. New York.

WE suppose that the Knickerbocker has been issued monthly without interruption; but these are the only numbers that have reached us for many months. This old magazine, in its new form, has assumed a higher literary character, and is evidently under the charge of an editor of marked ability. The critical articles show keen discrimination and severe taste, several of the stories are admirably well told, and the papers of a graver character indicate careful thought, and sober, well-grounded opinions.

NEW PUBLICATIONS RECEIVED.

Positive Faith. A Discourse preached at the Dedication of the Church on Arlington Street, Boston, December 11, 1861. By Ezra S. Gannett, Minister of the Society. With an Appendix. Boston: Crosby and Nichols. 1862.

Two Sermons preached in the First Congregational Church in Milton, on the 15th and 22d of June, 1862, and suggested by the Centennial Celebration on the 11th of June, 1862. By John H. Morison, D. D. Boston. 1862.

A Conscience without Offence. A Discourse addressed to the Graduating Class of Pennsylvania College, August 10, 1862. By H. L. Baugher, D. D., President of Pennsylvania College. Gettysburg. 1862.

Discourse delivered at the Opening of the Twentieth Convention of the General Synod of the Evangelical Lutheran Church, Lancaster, Pa., May 1, 1862. By C. W. Schaeffer, Pastor of St. Michael's Lutheran Church, Germantown, Pa. Gettysburg. 1862.

A Brief Sketch of the Evangelical Lutheran Church in the United States of America. By Professor M. L. Stoever, Gettysburg, Pa. Philadelphia. 1862.

The Army Prayer-Book: containing "The Morning Sacrifice," by Rev. James Smith, Cheltenham, England; with Select Hymns. Boston: American Tract Society. 1862.

Valuable Hints to Soldiers. I. C. C. Compiled for the 45th Reg't Mass. V., from "Hints on Health in Armies, by J. Ordronaux, M. D." Boston: American Tract Society. 1862.

Christian Commission for the Army and Navy of the United States of America. Philadelphia. 1862.

Alexis de Tocqueville, by Rev. Ray Palmer, D. D., Albany, N. Y. From the New-Englander for October, 1862.

The Southern Insurrection: its Elements and Aspects. From the Boston Review for November, 1862.

The Chase of the Rebel Steamer of War Oreto, Commander J. N. Maffit, C. S. N., into the Bay of Mobile, by the United States Steam Sloop Oneida, Commander Geo. Henry Preble, U. S. N., September 4, 1862. Cambridge. 1862.

Letter of the Hon. Thomas Ewing to His Excellency Benj. Stanton, Lieut.-Governor of Ohio, in Answer to his Charges against our Generals who fought the Battle of Shiloh, on the 6th of April, 1862. Columbus. 1862.

The United States and France. By Edward Laboulaye, Professor in the College of France, Advocate in the Imperial Court of Paris, and Member of the Institute. Translated for the Boston Daily Advertiser. Boston. 1862.

The Prospect: a View of Politics. By a Mountaineer. Buffalo. 1862.

The Crisis: its Rationale. — Part I. Our National Force the Proper Remedy. — Part II. Restoration of Legitimate Authority the End and Object of the War. By Thomas J. Sizer. Buffalo: Breed, Butler, & Co. 1862. pp. 100.

The Advanced Value of Gold, Suspended Specie Payments, Legal-Tender Notes, Taxation, and National Debt, investigated impartially. By A. B. Johnson. Utica. 1862.

The Millennium: the Good Time coming, with a History of Experiments on the Odic Force. By the Author of Millennial Institutions, the Seventh Vial, and the Theological Mystery. Springfield. 1862. pp. 196.

Church Architecture and the Mass. By Rev. George F. Magoun, Lyons, Iowa. From the Congregational Quarterly. 1862.

[Supplement to the Friend.] Morning Star Papers. By Rev. Samuel C. Damon. Honolulu. 1861.

Cases in Surgery. Gun-Shot Wounds. Plural Births. By J. Mason Warren, M. D., Surgeon at the Massachusetts General Hospital. Boston. 1862.

Description of a New Genus (Trypanostoma) of the Family Melanidæ, and of Forty-five New Species. Description of Ten New Species of Unionidæ of the United States. Description of Two New Species of Exotic Uniones and One Monocondylœa. Description of a New Genus (Goniobasis) of the Family Melanidæ, and Eighty-two Species. Description of Eleven New Species of Melanidæ of the United States. By Isaac Lea, LL. D. Philadelphia. 1862.

Rue Erring. A Poem. 1862.

Les Misérables. Jean Valjean. A Novel. By Victor Hugo. Translated from the Original French, by Chas. E. Wilbour. New York: Carleton. 1862. pp. 165.

The Wife's Stratagem: a Story for Fireside and Wayside. New York: D. Appleton & Co. 1862. pp. 336.

Library of Select Novels. No. 224. Mistress and Maid. A Household Story. By Miss Muloch, Author of "John Halifax, Gentleman," "Olive," "The Ogilvies," "The Head of the Family," "Nothing New," "Agatha's Husband," &c., &c. New York: Harper and Brothers. 1862. pp. 120.

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ART. I. — *Le Barreau Romain. Recherches et Études sur le Barreau de Rome, depuis son Origine jusqu'à Justinien, et principalement au Temps de Cicéron.* Par GRELLET-DUMAZEAU. Paris: A. Durand. 1858.

CICERO and Quintilian have treated of oratory with a skill never reached by any of their imitators, so that a thorough study of their works is an essential part of juridical training. Through them the student is transported to the classic age of Rome, and to the period of classic discipline, which unfortunately tends to disappear in the turmoil of political agitation and the often fictitious wants of material life. Besides acquiring precious information concerning the law itself, the young man learns, in a beautiful and pure language, how to form his style, and to prepare himself for the duties of his future profession. Those great orators and masters have left nothing unsaid concerning the origin and the means of eloquence among the ancients; and in the work before us the author aims to make the reader acquainted with the lawyers themselves, their relations to one another, to their clients, and to the judges.

Advocates were contemporary with the earliest laws, and a necessary consequence of them. Their services became indispensable; for the customs were often obscure, incomplete, contradictory, and opened a vast field for arbitrary construction.

Like all nations in their infancy, the Romans were divided into various classes, more or less privileged. The best known division is that of the patricians and the plebeians, originally the conquerors and the conquered. The whole history of Rome is filled with the struggles between these two sections of the people, — a long strife, which ended by a parity of rights being granted to all Roman citizens. There was between the patricians and the plebeians a relation somewhat similar to that existing in the Middle Age between the feudal lords and their vassals. Such a relation was a necessary consequence of the social state; for when two classes of men are compelled to live in one body politic, the superior must take under its protection the inferior, which in its turn must acknowledge that protection by service in some form. The *patres*, in regard to their relations with the plebeians whom they had under their care, were called *patroni*, and the latter, in correlation, *clientes*, undoubtedly from *colentes*, which would indicate that the plebeians were originally bound to cultivate the soil in behalf of their lords or patrons. In course of time, the patrons abandoned their lands to their *clientes*, on the condition, among others, that the plebeian, after designating a patron, should form with him a contract of association upon the following basis. He was to furnish everything needed for the support of his patron; he was further to give dowries to his daughters, to procure his ransom in case he should be made a prisoner, and to pay for all his judicial suits; in a word, he was to provide for all his expenses according to his rank. On the other hand, the father or patron was bound to watch over the interests of his client, to protect him, his household, and his goods, and especially to defend him judicially against any kind of injury or damage to the enjoyment of his rights. These relations between patrons and clients were mostly regulated according to the law governing those existing between a father and his children. This explains the gratuitousness of the services rendered by the patron to his client. The assistance of the former was indispensable to the latter, for he had the monopoly of jurisprudence. But the time came when the publication of legal *formulæ* and the promulgation of the Twelve Tables destroyed that monopoly, and rendered the

study of the law accessible to all citizens. At a still later period, the co-operation of relatives and friends was substituted for the exclusive assistance of the patron.

The Roman policy was always to connect as much as possible the ever-increasing numbers of citizens of the lower classes with *gentes* and *patres*, in order to have through the latter a kind of surveillance over them; but, in spite of all these efforts, there was still a floating mass which could not be absorbed into the patronate. This mass formed the *plebs*, the common people, who, by combining their exertions with the *clientes*, finally succeeded in overthrowing the system of the patronate, which, like feudalism, bore within itself the germ of its own destruction; for, admitting that the contract binding both patron and client was at first equitable, — though it be difficult to suppose that agreements between rich and poor were made in a just spirit of reciprocity,— the equilibrium could not be maintained very long, especially on account of the ever-growing household expenses of the patrons, chiefly caused by rivalry and luxury.

Toward the end of the sixth century of Rome the last vestiges of the ancient clientship had almost entirely disappeared. Then, also, the love for dignities had succeeded to the disinterestedness of the citizens, and public offices, having become accessible to all, also became the aim of ambition. At that period the elective system being most largely developed, and rendering the masses influential, all those desirous of power strove to obtain their favor by indirect means. The bar was considered as the best school in which to prepare for the management of public affairs, and the surest way of obtaining public stations. From the days of the Gracchi to the time of the Empire the Roman state was always governed by lawyers.

Clientship having ceased to exist as a general rule, the advocate took the place of the ancient patrician; he made himself a patron by the mere fact of his instrumentality. His patronage did not, however, limit itself to the low class of the former *clientes*, but embraced rich and poor, patricians and plebeians; nor was it confined to giving them his judicial assistance, for he generally became a politician. Advocates aspired to form a circle of which they were to be the centre.

They recruited their adherents among all classes which had anything to gain by alliance with opulence and power. Their clients were bound in entire devotion to their new patrons, through whose assistance only they succeeded in opening for themselves the road to honors.

The vulgarization of the law through the Twelve Tables must have led to the establishment of lawyers as an independent profession, though it did not at once become what it was at a later period, characterized by habitual frequentation of the bar, and assistance granted without distinction of persons or in consideration of fees. The names of patron and client were not changed, though the new relations differed greatly from the ancient, and tended to be more and more modified, as the republic verged towards monarchy. The name of *advocatus* was employed concurrently with that of *patronus;* it indicated a free selection made by the client. That these advocati were looked for especially among relations and friends, and particularly among those who had devoted themselves to the study of the law, was naturally to be expected.

A people who, like the Romans, passed most of their time in the forum, surrounding the tribune, where the titles of their magistrates were examined and sifted, the laws elaborated, and the questions of peace and war decided upon, could not fail to be a people of orators. Quintilian speaks of the whole domestic education as tending to develop in the child the talent for oratory. At the age of fifteen he was put under the patronage of some renowned advocate, whom he did not leave until he was able himself to enter the lists. He frequented the house of his patron, availed himself of his conversation, followed him to the bar, and punctually attended his pleadings. Mingling with the people in the forum, being a constant attendant on the debates, and familiarized by examples often repeated, the young candidate rapidly acquired a facility of elocution and a practical experience which from the beginning placed the most difficult causes within his grasp.

The bar was held in Rome in such honor, that its offices were for a long time considered as a kind of initiation to civil duties, — a preliminary stage to the magistracy. The noblemen of those days had to pass through that trial, as noble-

men of a more modern period through the trial of arms. Everything was adapted to excite the ambition of young men; and the debates in the forum aroused the most lively interest among all classes of the citizens. People went there as to a theatre; and an orator or a lawyer considered it as the utmost glory to be applauded by the people, to be recognized by them, and pointed out in the streets. The house of a celebrated lawyer was constantly full of visitors. Men of all ranks thronged to solicit the assistance of his powerful eloquence, — for the Romans resorted to the agency of lawyers in matters of the smallest importance. The fame of the Roman advocates was such, that their assistance was often claimed by the provinces, whither they repaired in serious cases, accompanied by their professional brethren. For a long time the rostrum had been the contemporary of the bar; but the former fell when the Republic expired. The mighty Roman eloquence was no longer heard except at the bar, and the bar itself was gradually stripped of its importance and splendor. As long as the legal profession was practised with honor, it was held in high esteem and glory; but when luxury had given birth to the excessive demand for material enjoyments, and information had become an infallible means of acquiring wealth, the lawyers, and with them the whole profession, fell into discredit.

It was in the nature of things that men of the same calling should be united in a corporation. As soon as lawyers had become independent and professional, the bar was placed collectively under the government of common rules. Thus Cicero often speaks of his old *institutum*, and boasts of its lustre and independence; but it does not appear that this institution had an organized form. Tradition had been undoubtedly for a long time the only law of the body, and its unity was the result of a natural *esprit de corps*, rather than of the legal existence of the body itself. Since during the republican period the agency of the lawyer was subject to certain conditions of practice, incompatibilities, and disciplinary regulations, there is no doubt that the lawyers formed already at that time a body more or less distinct in the state; else we could not explain sundry facts, as, for instance, pro-

visions concerning the fees of the lawyers, admissions to the bar, suspensions, and defence made obligatory upon an advocate by a designation *ex officio* of the judge. The latter kind of defence often took place; in his edict, the Prætor said, *Si non habet advocatum, ego dabo*, and in doing so he had in view not only such parties as were unable to pay their lawyers, but also those who might be deprived of the assistance of a lawyer by the credit of their antagonists. Imperial constitutions went afterwards even so far as to forbid one party to monopolize all the advocates distinguished by their experience and their talents. The advocate designated by the Prætor could not, without showing good cause, decline to assume the case thus devolved upon him; if he did, his name was struck from the rolls.

Under the Emperors, from Theodosius to Justinian, the corporation of the lawyers was carefully regulated. It was called *collegium*, *ordo*, *consortium*, *corpus*, *toga*, *togati*, *advocationis matricula*. Admitted by special authority to practise in the tribunals, the lawyers were entered according to seniority, and their number was limited. They were subjected to an examination, enjoyed special privileges, and could be suspended or interdicted. In some of the higher courts the legal profession constituted a true monopoly.

Prohibitions from pleading are coeval with the time when the agency of the lawyer was transformed into a profession. Some of these prohibitions were absolute, some relative. Women were never forbidden to plead their own causes. A law of Numa, however, is said to have prohibited them from pleading in their husbands' absence. The privilege given them does not seem to have ever been much used; for on one occasion, a woman having pleaded in the forum, in a case in which she was concerned, the city was so amazed at the novelty, that the Senate ordered the oracle of Apollo to be consulted, in order to ascertain what it meant. A Roman lady, by the name of Amesia Sentia, once defended herself against an accuser. Her argument was remarkable for its method, clearness, and vigor. As she bore a man's heart under a woman's form, she was called Androgyne. Caia Afrania, the wife of a certain Senator Buccio, acquired a most detestable repu-

tation by her ardent love for chicane. She sued everybody. Once, in pleading before the Prætor, she spoke with so much impudence in her unjust cause, that she raised the scandal of the people, and from that time her name was proverbially given to all crabbed females. Valerius Maximus, speaking of her death (43 B. C.), says that it is better to chronicle the disappearance of such a monster than the date of her birth. It would appear that Caia Afrania not only pleaded in her own causes, but also for others, which gave rise to a law found in the Pandects in which she is called *improbissima femina*. According to that law, women were forbidden thenceforward to plead except in their own causes. Five years after the death of Caia Afrania, Hortensia, the daughter of the celebrated lawyer Q. Hortensius, appeared before the Triumvirs to speak in favor of the Roman ladies, whom they had heavily taxed. Her speech, worthy of the great name she bore, was crowned with full success. The satirist Juvenal speaks also of certain ladies who used to draw up papers for lawyers.

It would appear that, in the first years of the Empire, men could be admitted to the bar after completing their seventeenth year. This early age caused another satirist, Petronius, to say that babes in the cradle were swaddled in eloquence.

The incompatibilities of the legal profession with others were the same among the Romans as are generally admitted with us. They are, however, founded rather on custom than on positive provisions. An edict of Valentinian and Valens declared the functions of judge and lawyer in the same cause to be incompatible. Going further, a constitution of Justinian prohibited the holding of those two offices by the same person, on the ground that, each being sufficient to occupy the attention of one person, both could not be filled at the same time by the same individual. There was also a legal incompatibility between the functions of a governor of a province and the profession of a lawyer. But the governors could resume the practice of the law, after divesting themselves of their functions and being honorably discharged.

To be admitted to the bar under the patronate, it was sufficient for a man to show that he was a patron. At a later period the presentation, to the highest tribunals at least, by

an eminent magistrate, seems to have been required, or at least was practised. Obligatory conditions of admission do not seem to have been demanded before the bar was constituted into a real corporation, and the agency of lawyers raised to a public function.

In Justinian's time, five years of legal study were required for the lawyer, at the end of which he was examined. From A. D. 468, the candidate was further required to testify that he was penetrated by the holiness of the mysteries of the Catholic religion, under penalty, in case of infraction, of a perpetual exile and the confiscation of his property. Furthermore, the admission to pleading was subordinate to the special license of the Emperor. These guaranties of capacity and religious orthodoxy made neither orators nor jurisconsults. The science, stuffed with subtilties, died, as had, several centuries previously, the art of oratory.

From Constantine to Justinian the lawyers were divided into regulars, or *statuti*, and *supernumerarii*. The former only were inscribed on the rolls, and belonged to the corporation of advocates, who were attached to special jurisdictions. As to the latter, they were free to settle wherever they pleased. They filled up the vacancies of the former; for the number of the *statuti* was limited, varying, from the time of Theodosius to Justinian, from 150 to 16 at each tribunal, according to the importance of the provincial tribunals. Thus they were in full numbers at Rome and Constantinople, while there were only fifty at Alexandria. The lawyers whose names were not inscribed on those privileged lists were, however, authorized to practise in the inferior courts.

The *prevarication* of a lawyer, that is, the fact of his having betrayed the cause of his client by fraudulent manœuvres, and especially by means of corruption practised for the benefit of the opposing litigant, was at all times considered a criminal act. We have no examples of such cases under the Republic, though the corruption then already existing may allow us to conclude that such cases may have occurred. In Pliny's time they were frequent, and originated in a cupidity of the means of luxury. Numerous regulations and prohibitions proved powerless to extirpate that odious crime.

One of Valentinian's constitutions enjoined upon the lawyers to be reserved in their pleadings, and to refrain from any injurious or defamatory words foreign to the needs of the cause. Advocates were likewise forbidden to raise useless issues in behalf of litigious claims, and to negotiate with their clients. The only thing they were allowed to receive from the latter was their fees.

Justinian ordered the lawyers to take an oath in every case, by placing their hands on the Gospels, that they would employ all the resources of their science and talent for the defence of their clients, and that they would not voluntarily neglect any means in behalf of what they believed to be true and just. He further directed them not to take charge of any unjust causes, and even ordered them to abandon their clients, if, in the course of the pleadings, it should appear that the latter had knowingly led them into error. Lawyers could not, under his reign, be absent from the seat of their jurisdiction for more than five years with the license of the magistrate, nor more than two years without the same, under penalty of being stricken from the rolls.

The most precious privileges of the lawyers were never written, but existed previously to any regulations concerning the legal profession. But the privileges, properly so called, date from the time when the bar, ceasing to be accessible to all, became a function specially licensed by the Emperor, and limited as to its numbers. But it is proper to add, that those privileges derived their origin from services rendered, and from the high esteem in which the Emperors held the science of law and the oratorical art as applied to pleading. Speaking of them, Leo says: "The lawyers who penetrate the latent meaning of contracts, who by the power of argument in private and public affairs restore ruin or prevent it, are not less useful to mankind than the soldier, who sheds his blood in battles fought for his country and hearth. We consider that the defenders of our empire are not only those fighting with the sword, the shield, and the cuirass; the lawyers serve it also, when, with a modesty suited to true eloquence, they restore the hope of the sufferer, protect his life and his family." At the end of the fifth century of the Christian era,

that is, when the lawyers had been fully incorporated and placed under the inspection of magistrates, they obtained various marked privileges, and, among others, exemption from heavy municipal taxes and from sundry undesirable public offices. Their sons were inscribed upon the rolls before the *supernumerarii*. Anastasius conferred the title of count of the first rank — *clarissimi primi ordinis comitis dignitas* — upon some lawyers. The most ancient advocate on the rolls had the title of *primas*.

The Roman people always, but especially under the Republic, attached a great importance to external signs, adopted to indicate the social classification of citizens. The dress was, by its form and color, one of those signs. The white toga, being the legal dress of the Roman citizen, was also the robe of the lawyer. Towards the end of the Republic the toga had already fallen into disuse, except with the Senators and Equites. That robe, inconvenient by its fulness and its color, was replaced by a longer coat, or *tunica talaris*, and a cloak which was used over the former, *lacerna*, or *penula coloris pulli*, of brown or chicken color. Thus certain practitioners were called *penulati*, or *pullata turba*, which was taken as synonymous with rabble. Augustus ordered the Ediles to see that no lawyer should appear in the forum without wearing his toga. Hence the creation of a vestiary in the basilica, wherein the ever-increasing number of lawyers who disliked to wear the toga in the streets took and left their robes, *toga forensis*. The Emperors several times attempted to revive the use of the toga, but their efforts were powerless against prejudice, and the cloak with the tunic above mentioned finally prevailed. The costume worn in many European states by the lawyers and judges is of Roman origin, though it has assumed with some a rather strange cut.

In the classical age of eloquence, the lawyers never neglected anything that could increase the power of their oratory. Thus they made a special study of the great art of dressing themselves, and parading the toga. Hortensius, the celebrated orator, used to wear a looking-glass to adjust his dress. He is reported to have once brought a suit against one of the fraternity who had deranged the symmetry of the folds of his robe.

No *petite maîtresse* of the present day ever took a greater care of her dress than did the Roman *togati*. It must, however, be said, that the robe helped the speech, as it permitted the orator to take an impressive attitude, and to give stress to his gestures, — an art too much neglected in our days, both by the pulpit and the bar.

At different periods the lawyers had various names. We are already acquainted with the terms *patroni* and *advocati*. Sometimes they are called *causidici*. There was besides a subordinate class of lawyers, whose agency was used in certain parts of the pleadings. Among these were the *leguleii* and *formularii*, who had with each other a great affinity, — two species of the same genus. These jurists of second order assisted the pleading parties, and the lawyers who were not very conversant with the rigorous forms of the civil law. Speaking of one of those inferior jurists, Cicero says that he was *cautus et acutus, præco actionum, cautor formularum, auceps syllabarum*. These *minores advocati* were recruited among the lawyers who had not been successful at the bar, or had recoiled from the labors requisite to acquire the art of oratory.

The *monitor* was a *leguleius* attached to a lawyer, in order to suggest to him prompt answers to incidental, unexpected questions. He was sometimes called *ministrator* or *subministrator*, because of his providing his employer with weapons, — *quia tela agentibus subministrabat*. Furthermore, the *monitor* filled the office of a prompter; he came to the assistance of the lawyer whose memory failed; with his memoranda in his hands, he took his seat behind the advocate, and for this reason was called *monitor posticus*. The *morator* was another lawyer of the same order. He spoke when the patron was tired, or when the latter did not think it consonant with his dignity to speak himself. One of the services required from the *morator* was, as the word indicates, to drag the matter into length with the view of gaining time. The *cognitor* was a kind of mandatory, whom the pleading party substituted for himself in the course of the pleadings.

As with all nations, both ancient and modern, the nicknames given to lawyers by their brethren and the people were not wanting among the Romans; they were invented to revile

them or to make them contemptible. Thus we have the *rabulæ*, from *rabies*, rage; or from *radere aures*, to grate the ears; or from *ravis*, hoarseness. Others were called *latratores*, barkers; *vitilitigatores*, a word composed by Cato, from *vitium* and *litigare; clamatores*, *proclamatores*, brawlers, squallers. All these names were indiscriminately given to lawyers who made show of their ignorance, their impudence, and their rapacity.

It has been repeatedly said, that the Roman lawyers never took any fees for their services, until long after the fall of the Republic, and that the legal profession lost its lustre as it became less disinterested. This is an error, which partly rests upon ignorance of the relations above described, existing between patrons and clients. We have seen that those relations could give birth to no fees; for they were founded upon mutual services, excluding any kind of remuneration. In the transition between the patronship and the lawyership, the litigant parties still often applied for assistance to their former patrons. These, who up to that time had not necessarily been lawyers, began to feel that, in order to retain somewhat of their old prestige, they ought to devote themselves to jurisprudence. They would at first take no fees, as custom and pride forbade; but it was tacitly admitted that they would receive a gift on the score of remuneration, — *honorarium*, *xenium*, *solatium*, *merces*, words which imply the idea of a free and spontaneous present. The *palmarium* was added subsequently. This was a gift of a peculiar nature, which was offered to the lawyer whose efforts were crowned with success. As has been said, the patronate did not suddenly disappear from the Roman institutions; on the contrary, its vestiges could be traced for several centuries. Endeavors were made by some to revive that institution; but it was no longer an admitted custom. One of these efforts gave birth to a certain law called *Lex Cincia*, from the tribune Marcus Cincius Alimentus, who proposed it in the year 549 U. C. Of that provision we have only the title left, *De Donis et Muneribus*. Much has been written on this law, which, as it appears, was intended to prohibit all public officers (including lawyers) from receiving as such any compensation from the

parties. We know that Cicero, who was reputed to be a rigid observer of the law, accepted the gift of a library presented to him by a friend. If that law had been directed against the license of the lawyers, as Tacitus calls it, it might have done a great deal of good; but if it was meant to be absolutely prohibitive, it could be respected only by a small number of lawyers, whose interest it was to make a show of their generosity. Assistance in the tribunals having become a real profession, requiring special studies and continuous labor, most lawyers received a remuneration, and the law was powerless against abuses in this respect. If the law prohibited the gifts of suitors, it did not annul the legacies made by clients to their lawyers. Legacies of this kind were reputed very honorable, when not the effect of fraud and *captation;* so that Cicero boasted of having received in that manner over twenty millions of sesterces. Given to a lawyer as a mark of esteem and gratitude, such bequests were to be considered in most cases as a spontaneous remuneration for services rendered. These legacies became, in the course of time, one of the principal sources of the immense fortunes which hastened the ruin of the Republic, by an excessive development of individual ambition, and the corruption which was its natural consequence. Roman history is full of examples of the most odious rapacity among lawyers, accompanied by "prevarication," against which the laws proved powerless. If for a short time abuses were stopped, they soon reappeared with all the greater audacity. Honest Quintilian, writing on the subject, says that the fees ought never to exceed either the means of him who pays or the wants of him who asks them, and that, after all, fees should be considered merely as an exchange of services. Under Alexander Severus, the most flourishing epoch for jurisprudence, the study of the law seems to have purified the manners of the lawyers. The fees ceased to be extravagant; lawyers did not ask from their clients more than a reasonable compensation, nor would they make any compromise with them as to the eventual issue of the case, still less assume to themselves the perils of the cause for a pecuniary consideration.

The debates took place in the forum, and originally *sub dio.*

But the changes of temperature which render storms so frequent and sudden at Rome, must have early required a shelter for the magistrates, the parties, and the people. There was for that purpose a basilica in the forum. One single forum proving insufficient, others were opened in the course of time for the administration of public affairs and of justice in the various stages of jurisdiction.

After the fall of the Republic, when most of the political powers had been vested in the hands of the Emperors, publicity in the tribunals was gradually discontinued; but in Horace's time the parties were still pleading in the forum, "in spite of the noise of two hundred carts, and the discordant sound of the trumpets of funeral processions."

There were with the Romans, as with us, days when no pleadings took place, and no justice was administered. These were called *nefasti;* for the Prætor could not then speak (*fari*) the three solemn words *do*, *dico*, *addico;* and *fasti*, on the contrary, were the days in which justice had its free course. All days of public festivals were *nefasti.* Those marked with a fatal presage were called *religiosi.* The first day in the year was a holiday for the people, but not for the tribunals, "lest," says Ovid, "a year begun under the auspices of laziness should be spent in idleness." Many constitutions regulated and modified these *dies fasti* and *nefasti*, and the holidays. There were vacations at the harvest and vintage time, lasting from three to six weeks. Under the Christian Emperors, affairs were suspended at Christmas, Epiphany, and Easter, and in the week preceding and the one following each of those days. For criminal matters, all days were judicial, except the above-named and the anniversaries of the foundation of Rome and Constantinople. The vacations of the criminal judges were more limited than those of the civil jurisdictions, and took place only during the hottest season.

The curiosity of the Roman people was incessantly turned to the judicial debates. They followed with eager attention the success of the old orators, and the debates of the young candidates. On the other side, the lawyer attached a great importance to his pleadings. To speak incorrectly or indifferently would have been an avowal of powerlessness and

uselessness. The art of oratory was considered so important, that litigant parties preferred an orator to a jurisconsult, or they took the former and secured for him the assistance of the latter.

Extemporaneous speaking, *non compositum domi*, was the object of the lawyer's greatest ambition; but among the Romans the exercise of that faculty was exceedingly difficult, on account of their habit of bestowing particular attention on the symmetry and the arrangement of their words. Augustus committed to memory all his speeches, and in his old age he read them. The debates in the Senate sometimes took place by means of written papers communicated among the orators beforehand. Titus was considered as a very talented orator, on account of his great facility in expressing his ideas; his biographer, wishing to give a high opinion of him, says that he went *usque ad extemporalitatem*. Cicero, Pliny, and Quintilian give to students of the oratorical art the best advice and directions, which are perfectly applicable at the present time.

At daybreak clients went to their lawyer and filled up the halls of his residence. They accompanied him to the forum; the most attentive of them carried his satchels. The tribunal was open from early in the morning till dark; sometimes the pleadings were prolonged into the night, when torches were lighted.

In important cases argued before the Prætor, this magistrate sat upon a platform, between a *hasta* and a sword, emblems of his *imperium* and power. Below and before him were the judges, seated upon *subsellia*, in a half-circle. The accused party and his defenders occupied the left, a few paces in front; the accusers were on the opposite side. The orator took his place at the bar, in front of the tribunal, assisted by his clerk and the jurisconsult who had given his opinion on the case. The relatives and friends of the accused surrounded him.

The lawyer generally stood while speaking; he was, however, allowed to sit whenever he chose; but he rarely made use of this privilege, except in cases of small importance, or before judges of an inferior rank. The necessity of making

himself heard by a large number of auditors compelled the orator to raise his voice exceedingly; sometimes he screamed rather than spoke. It was not unusual to see him, while speaking, going up and down within the space left open between the judges and the bar. Quintilian authorizes this walking, *ambulatio*, *incessus*, but only during the time necessary for the plaudits to cease. Some lawyers, in the heat of their speech, went near to the *subsellia* of the judges, and, as it was not decorous to turn the back upon them, they receded backwards.

With a southern people, gestures must have played an important part in the speech. They were the subject of a special study. Masters gave instruction in this portion of the art.

When the orator was exhausted, he resorted to a vessel of water, and there are reasons to believe that something was added to correct the insipidity of that liquid. Sometimes, also, the lawyers stopped the course of their pleadings to eat. Quintilian, who cites the fact, says that this was an old habit, still in use in his time.

During the speech, the opposing litigant jested with his neighbors, tossed his head, shook his shoulders, took notes, wrote letters, gave orders, and received messages. Sometimes, also, a conversation took place between the lawyers, whom the judges often interrupted to ask questions.

When the audience wished to express their approbation of an orator, they indicated it by the words *bene*, *præclare*, *belle*, *non potest melius*, and the judges sometimes blended their congratulations with those of the crowd. The division of the discourse was rigorously observed, especially after the introduction of the Greek methods. Every speech had its exordium, narration, confirmation, refutation, and peroration. For the latter, the lawyer summoned all his resources, and left no art unemployed to move his judges. At the end of the speech the friends of the lawyer thronged around him with congratulations; the crowd, when strongly impressed, saluted him with their acclamations. But the abuse of these manifestations depreciated their value. Clappers were soon introduced; they were hired by the day, and at a given signal a

crowd of them ran into the halls, led by their chiefs, and acting under their command. Praises, yells of admiration, often accompanied by stamping of the feet, arose from all quarters.

Under the Lower Empire, the judges occupied their seats in special halls, called *secretaria*. The people were admitted; but the interest they took in pleadings diminished more and more. Between the judges and the people there were curtains, *vela*, which were drawn when the judges had to consult with one another to form their decision. As with all primitive nations, religious awe caused a bar to be erected between the priest of justice and the *profanum vulgus*.

The *altercatio* was a succession of short and disconnected speeches, in the form of dialogue, devoted to the discussion of evidence. This part of the procedure was considered as the most delicate, since it required a great deal of acuteness, circumspection, and presence of mind. The successful issue of the cause often depended upon the way in which the lawyers proceeded in the *altercatio*. Some of them were assisted by jurists, who prompted their answers; hence the use of having for important cases one lawyer for the *altercatio*, and another for the final pleading. Often the *altercatio* degenerated into violent disputes, and gave birth to direct invectives, contradictions, and personalities of all kinds. The parties sometimes even went so far as to unsheathe their poniards and fight.

According to a law of the Twelve Tables, the speeches of the orators were to be finished at midday; and causes were to be decided by the judges before sunset. In Cicero's time, the length of the pleadings depended on the judge. Then, as in our days, lawyers were skilful in inventing means of delay. In 701 U. C. Pompey procured a law, according to which two hours were granted to the accuser, and three hours to the accused for his defence. This law was modified afterwards; the time was lengthened, but in the proportion fixed by the Lex Pompeia. At the beginning of the pleadings a *clepsydra* was placed in front of the lawyer; the lowest end of that timepiece, which had the form of a funnel, terminated in a round, narrow opening, from which the water escaped drop by drop. It took twenty minutes for the clepsydra to become

empty. According to the case, a certain number of clepsydras were granted to the lawyers, and sometimes the judges bestowed one or more in addition. This was called *dare aquam*. Instead of saying of a lawyer, He spoke an hour, or three hours, the Romans would say, He spoke three, or nine clepsydras. If the judge denied an addition of water, the orator was stopped at the last drop. But when he ceased to speak, in order to read some document, for instance, the sergeant placed his finger under the clepsydra to stop the water. This was called *sustinere aquam*.

The rules concerning the length of the pleadings varied very much. Speaking on this subject, Pliny says: "As to me, whenever I judge, and I act more frequently as a judge than as a lawyer, I grant as much water as is required from me; for I think it imprudent to circumscribe beforehand a cause not yet heard, and to assign it *a priori* a term when its nature is unknown. Patience ought to be considered as an integral part of justice; it is without contradiction the first duty of a judge who wishes to enlighten his conscience. But one will object, 'Lawyers often say useless things.' It may be, but it is better to hear them, than not to hear necessary things; and how can you know beforehand that they are useless, if you do not listen to them?" Marcus Aurelius used to give a good measure of water to the lawyers; he generally let them speak as long as they liked. He is said to have listened in a single affair for over ten hours. Ulpian recommends the judge to hear patiently, but in a moderate measure, lest his forbearance should be considered a weakness. A constitution of Valentinian authorized the lawyers to speak as long as they chose, on condition that they should make use of that privilege with the view of increasing, not their fees, but only their reputation. Speaking of himself, Pliny says that he never was so much applauded as for having remained silent after a miserable accusation of his antagonist.

Within the tribunals, but unconnected with them, there were clerks who took notes of the speeches of the parties, and of the evidence. They formed a corporation called *notarii*, *scribæ*, *exceptores*, *amanuenses*. They used short-hand writing. Speaking of them, Martial says:

"Currant verba licet, manus est velocior illis."

But the orators were too regardful of their reputation to have their speeches published as they were pronounced. Thus, all the orations of Cicero which we possess were carefully revised and corrected by him after being delivered. In doing so, the lawyers not only suppressed the inaccuracies and repetitions of their *extempore* speeches, but they at once condensed them and made considerable additions to them, so as to create a new work; while, on the other hand, they were anxious to preserve the form and method of an extemporaneous speech. The orators of renown always wrote their pleadings after pronouncing them, and put them into a shape suitable for publication. The young candidates at the bar copied the speeches, and furnished them for distribution even in the provinces. The few we have make us regret that we have not many more. But some unexpected chance may yet enrich our classical literature by new discoveries.

Learned as were the lawyers, especially during the classical period of Rome, it is not astonishing to see them making use of their erudition; but they did it with sobriety, and only to divert the ear from the asperities of the judicial language. As the bar declined, advocates often indulged in idle digressions. Martial has the following epigram on such a wearisome lawyer: —

"'Brother lawyer,' said one to his antagonist in the cause just argued, 'there is no violence, nor murder, nor poison, there are only goats. I want my three goats, which a neighbor has stolen from me, and I am requested by the judge to prove the fact. And you, with the whole stress of your lungs, and all the vigor of your fist striking on the bar, — you speak of the battle at Cannæ, of the war of Mithridates, of the Punic perfidies, and the outrages of Sylla, Marius, and Mucius! Speak, I beg — speak at length of my three goats.'"

Roman history is full of *bon-mots* uttered at the bar, of *facetiæ* of every kind, in which the Romans frequently indulged. Many of them, however, were not dictated by the purest taste, nor distinguished for chasteness of thought. This sort of wit began to be in vogue in the second century, that is, when the art of oratory was already declining or had ceased to exist. The most eminent orators carefully studied the

Greek works, in which the art of exciting laughter was taught in special treatises *ex professo*. One of these methods was to ridicule one's adversary by imitating his gestures, voice, and gait.

The liberty of speech was unlimited, from the time when the patronate began to lapse into the lawyer's profession, up to the period when Rome was transformed into two civil camps. One of the causes of that liberty is to be found in the great number of judges who generally composed the tribunals; for the fewer the judges, the greater cause for fear has the lawyer that his allusions may be considered as personal. When Rome was divided into two factions, which destroyed each other by turns, as they were conquerors or conquered, the lawyers deserted the political cases; but their terror disappeared with its cause. In those dark times both criminal and civil justice were equally corrupted; the politicians interfered with the judges, who became their docile tools, and intrigue prevailed everywhere. The wealth of a party was the best recommendation. This state of things sufficiently explains the license of the lawyers towards the magistrates and the judges. Cicero gives of himself numerous examples of that boldness and intemperance of language. Convinced as he was of his superiority over all his rivals, he was, with his moral qualities and defects, perfectly suited to judicial jousts. He once terminated a speech in favor of a client with these threatening words: "Judges, you are going to try him, and the Roman people is going to try you." The law of the Twelve Tables punished slander; but we do not find a single case of such a suit in that period. As to the magistrates, they were probably protected against the violence of speech. Those habits of language are partly explained by the principle of liberty of discussion, which was so absolute that no citizen could be arrested. Such broad license of speech could not survive the Republic; for it was incompatible with the principle of authority, which is the basis of all monarchical governments. It gave rise to private hatred and public disturbances, and greatly contributed in producing the commotions which caused the fall of the popular government.

Long before the legal profession had assumed the shape of a

corporation, the relations between lawyers were governed by a law of propriety, and that spirit of brotherhood which arises from a community of labor. But these feelings were often stifled by rivalry and envy, and frequently the old members of the bar were pitiless towards new-comers, especially when the former were patricians and the latter not, unless these could redeem by the prestige of uncontested talent the inferiority of their origin. Cicero has shown himself just, benevolent, and disinterested towards his contemporaries. He was as skilful in setting forth their good qualities, as in leaving their defects in the shade. Some of his writings indicate that a true *esprit de corps* was known to the Romans, and that, if we do not find it more frequently displayed, it was less the fault of the men than of the institutions.

The ancient literary monuments we have exhibit rather the worst side of the legal profession, than its virtues and its good qualities. They are full of cases of corruption, prevarication, and avarice among the lawyers. Their venality had become proverbial. Luxury had reached such a degree, that every one was carried into the vortex. One of the chief means of becoming rich was to obtain public offices, and as their duration was brief, the magistrates grew wealthy in a short time, after having first impoverished themselves in buying votes. The ambition of the bar existed in the nature of things at Rome, and was nurtured by elections which gave birth to factions, peculation, and bribery.

After the fall of the Republic, when there was no longer a chance for the lawyers to manage factions, nor opportunity for getting rich rapidly by means of public offices, which were now for life, with a modest but regular and sufficient salary, they satisfied their cupidity by acting as lawyers in private matters; but they had anew to struggle against crowds of rivals, for the numbers of the legal profession were increasing more and more. Some succeeded in making use of the charlatanry of luxury. Some, for instance, went to the basilica in litters, preceded by their clients, and followed by hordes of slaves; others wore on their fingers flashing rings, which they hired by the day. Speaking of that class of men, Juvenal says: "The purple and the amethyst constitute the value of

the lawyers; it benefits them to make themselves conspicuous, and to make believe that they spend more than their income." But those who succeeded in this way were few; most of them vegetated in the most miserable condition, and could not pay their rent. Some had an additional profession. In one of his numerous epigrams directed against lawyers, Martial speaks of one who drove mules when he did badly as a lawyer.

With the ancient Romans, the language was, like their institutions, simple, energetic, free, and this was also the character of their oratory. The bar had not yet become an arena open to ambition. The judicial debates were solemn, made solely in view of the client's interest, and not for the sake of vanity or gain. At that time, speech, though not deprived of a certain elegance, was less ornamental than substantial, more nervous than copious. One Cethegus was surnamed the Marrow of Persuasion, *Suadæ Medulla*. Cato was the first at Rome who set rules for eloquence. By the influence of philosophical methods imported from Greece, the oratorical art made some progress; the language lost its rudeness, without being impaired in its originality. The names alone of the orators and lawyers who distinguished themselves by their style and eloquence would occupy several pages. The progress of style in oratory reached its perfection under Cicero, though several orators nobly followed in his steps, and were remarkable for their taste, elegance, purity, copiousness, and dialectic skill. It had then become the fashion for young men to go to Greece and Asia Minor, and to enter the schools of famous rhetoricians, whose splendor, however, did not last very long. Thence they brought back what Cicero calls the Asiatic style, — a compound of Greek subtilties and Oriental pomp. The whole was seductive, but false.

The moral dissoluteness which preceded the fall of the Republic, and reached its climax in the first period of the Empire, was not suited to restore severity to the style, and from that time it declined more and more. The bar fell to such a degree, that Pliny thought that his dignity compelled him to leave it, which he did after having been its ornament for the greater part of his life. Hardly any of the splendor of that eloquence which was the glory of the old Roman forum

can be found under the Cæsars. The bar was to flourish again, but solely by reason of the jurisconsults. The orators had left Rome forever.

Communication with Greece having become more and more frequent, the citizens of Athens and of Rome were, so to speak, blended, and philosophy was naturalized on Roman soil. The men of the bar, who are everywhere at the head of progress, acted a conspicuous part in that intellectual movement, though they did not carry it very far. They generally adopted the doctrines of Zeno, as more appropriate to the times, and thus the Stoic philosophy, transmitted from generation to generation, was prevalent in the most classic period of jurisprudence, from Hadrian to Alexander Severus. The Epicurean doctrine found but few partisans at Rome. The greatest service rendered by the Greek philosophers to the bar, was to create the art of oratory. By their teaching of rhetoric they demonstrated that that art could communicate to reason a degree of power before unknown; but, on the other hand, they predisposed the Roman bar to sophisms, sharp points, and witticisms.

It has been much questioned to what degree the various philosophical sects had an influence upon the Roman law, and which system left its special stamp on the laws and on the teachings of the jurisconsults. This is a question the solution of which is difficult, if not impossible. It can only be said with certainty, that philosophy induced the jurists to devote their attention to those high speculations in ethics which have so great an influence on the law. That influence must have been felt at the bar; and if it did not prevent its decline, it assuredly postponed its fall.

ART. II.—1. *The Works of* THOMAS GRAY; *containing his Poems, and Correspondence with several eminent Literary Characters. To which are added, Memoirs of his Life and Writings, by* W. MASON, M. A. The Third Edition, carefully corrected. In two volumes. London. 1807. pp. 316, 324.

2. *The Works of* THOMAS GRAY, *with Memoirs of his Life and Writings, by* WILLIAM MASON. *To which are subjoined Extracts, Philological, Poetical, and Critical, from the Author's Original Manuscripts. Selected and Arranged by* THOMAS JAMES MATHIAS. In two volumes. London. 1814. pp. 581, 634.

3. *The Works of* THOMAS GRAY. Vol. I. *Containing the Poems, with Critical Notes; a Life of the Author; and an Essay on his Poetry.* By the REV. JOHN MITFORD. Vol. II. *Containing the Letters; with Important Additions and Corrections from his own Manuscripts.* Selected and Edited by REV. JOHN MITFORD. London. 1816. pp. clxxvi., 242, 586.

4. *The Works of* THOMAS GRAY. Edited by the REV. JOHN MITFORD. 5 vols. London: William Pickering. 1835–1843.

5. *The Correspondence of* THOMAS GRAY *and* WILLIAM MASON, *to which are added some Letters addressed by* GRAY *to the Rev. James Brown, D. D., Master of Pembroke College, Cambridge. With Notes and Illustrations by the* REV. JOHN MITFORD, Vicar of Benhall. London: Richard Bentley. 1853. pp. xxxviii., 485.

6. *The Poetical Works of* THOMAS GRAY. *Edited, with a Life, by* REV. JOHN MITFORD. Boston: Little, Brown, & Co. pp. cxviii., 223.

7. *A Fac-simile of the Original Autograph Manuscript of* GRAY'S *Elegy. Photographed by* MESSRS. CUNDALL, DOWNES, & Co. London: Sampson Low, Son, & Co. 1862.

IT is proposed, in this article, to take account of the poet whose name we have placed at its head. We shall look to see what manner of man he was; what were his mental powers and moral traits; how he lived, and thought, and wrote; what

he studied, and what was his place among the scholars of his time; what was the character of his poetry, and what his rank among poets; and, finally, what has been the general result to mankind of the fact that Thomas Gray — man, poet, scholar — once lived, and run his race in the world. We at first proposed, for the sake of greater convenience and distinctness, to arrange our remarks under a threefold division, considering separately the life, the poetry, and the scholarship of our author; but the elements were so mixed in him that such a division would be difficult and embarrassing. His life was his learning. The man was a poetical scholar, and a scholarly poet. His poetry twined itself around his learning, and was saturated by it. He planted himself in bookish soil, and flowered at last into verse. We shall therefore not attempt to mark out the divisions indicated above, but shall follow an arrangement mainly chronological. Of course, at this late day, we cannot hope to present new views, or to throw new light on the character and writings of our author. There are no recently discovered documents, — no Archives of Simancas have been unearthed, after the flight of years, for a newer and truer illustration of an old subject. Time has given its verdict, which is substantially correct. We have nothing to say which will impugn its truth. Our aim will be, after a very careful study of all the remaining documents, to illustrate freely, by frequent references, our views of their writer; and also to bring together whatever in later literature has an important bearing on the subject before us. We shall hope thus not only to present the completest criticism of our author, but also to give, as it were, the best bibliography of his writings.

And first, a word or two, by way of introduction, upon some of the different editors and editions which we have placed at the head of this article. All editions of Gray are necessarily founded upon the labors of his first editor, Mason. Mason was, during the life of Gray, a warm personal friend, a brother poet, of similar tastes and kindred pursuits, one well fitted in every way to appreciate both the character and the literary productions of his friend. The office of literary executor, which devolved upon him, was in the main faithfully discharged; and we owe to him the greater part of what knowl-

edge we have of the life of Gray. Later biographers have added illustrations from other sources, and but little else. Of all the editions of Gray, our own favorite is that of Mathias, numbered second on our list. Mathias was a man of fine taste, good scholarship, and sound judgment, having also the congenial enthusiasm for his subject which is necessary to a good editor hardly less than to a good biographer. His edition is in two comfortable quartos, very scholarly in appearance. The portrait forming the frontispiece to the first volume is the most satisfactory to us of all that we have ever seen, being quite different from the common emasculated likenesses. It is engraved from the original portrait in the possession of the Masters and Fellows of Pembroke Hall, Cambridge. The first volume embraces all that appeared in Mason's edition, which is substantially what all subsequent editions have contained, with the exception of a few more letters, or a new Life substituted for Mason's. The second volume contains what can be found nowhere else, — a mass of material which is indispensable to any one who would wish to understand the nature and extent of Gray's learning. It consists of copious extracts from original manuscripts left by Gray to Mason, which finally fell to the Masters and Fellows of Pembroke Hall, and were by them intrusted to Mathias to edit. Here we have essays and criticisms, prolusions and prelections, mostly fragmentary, on widely various subjects; the fine thoughts of a poet on poetry, histories begun but never finished, translations, scraps on architecture, heraldry, philosophy, and the different branches of natural history, ideas on art, and subtile textual criticisms not surpassed by the nice scholarship of our own day. But there is nothing loose or superficial. Everything exhibits his large and thorough learning.

Mitford, another editor, has done more than any later scholar towards illustrating his subject. He has edited several editions of parts of the poet's works, has contributed many critical notes, has collated very industriously parallel passages from various authors, and has written what is, perhaps, the best Life of Gray. In the Advertisement prefixed to the third work on our list, in speaking of Mason's edition of the Letters, he censured him severely for the liberties he had taken in

altering, omitting, and transposing passages, besides inserting sentences of his own. It is undeniable that Mason did make certain changes of the kind indicated, but not to a great extent, and hardly in a way to be of injury. We have compared very carefully all the letters given by the two editors, supposing, of course, that Mitford, assuming high moral ground, would take care to be always accurate in his charges of inaccuracy; but we were mistaken. We have now before us quite a list of charges of garbling made against Mason, without any foundation whatever. Letters which he had given in full were represented to be either omitted or given in part. It is true, however, that Mitford's collection of the Letters is not only more complete, but also more correct, than that of Mason.

The Aldine edition of Gray's Works, in five volumes, is more convenient and readable than any other, and has been proportionally popular. It contains a larger number of the inimitable letters than any other collection, including all which have been published, with the exception of those comprised in a later volume of correspondence, issued in 1853. This latter work is fifth on our list. The American edition — the sixth on our list — forms one volume in that most excellent and comely edition of the British Poets, for which the reading public is so largely indebted to Messrs. Little, Brown, and Company. It follows, at no disadvantage, the first volume of the Aldine collection. In fact, we prefer the American Aldine every way, — on æsthetical as well as on patriotic grounds. To our eyes it is *matre pulchra filia pulchrior*. We wish that the publishers might deepen our obligation, and complete their edition, by giving us also the four volumes of Letters. They are still fresh and beautiful; and classics they will always be. We hardly know where to turn for anything more charming in sentiment or more graceful in style. So good a judge as Cowper thought Gray's works sublime, and liked his letters better than those of Swift, which he once regarded as the best that could be written.

Thomas Gray, like Chaucer, Ben Jonson, Milton, and Cowley, was a Londoner by birth. He could hardly be called, however, like Samuel Johnson, a Londoner by conviction. He was the son of a money-scrivener in Cornhill, and first

saw the light on the 26th of December, 1716. Of his early life we know little; but we may well suppose him, even in boyhood, to have been uniformly quiet and studious. To his father he owed little; to his mother, almost everything. By her own limited means he was maintained and educated at Eton, being under the charge, while there, of his uncle, Mr. Antrobus. Two of his fellow-scholars were Richard West and Horace Walpole, with both of whom he was on terms of intimacy. His friendship with West burned bright for eight years, when it was extinguished by the untimely death of the latter. West was a person well fitted for warm friendship with Gray. His taste was refined, his love of learning great, and his acquirements were thought extraordinary in one so young. The temperament of the two friends was the same, and their habits and tastes very similar. We must always regret West's early loss; for we cannot doubt that, if he had lived, the influence of his friendship and sympathy would have been most healthful and happy, both for Gray's life and for his writings. His life would have been less morbid, — not less literary, but more human, with larger reach and more social expression. In friendly counsel and appreciative criticism, as well as in the generous rivalry of a long-known and congenial companion, he would have found — what he too much lacked in his somewhat solitary life — an object in study and an incentive to write. The gentle stimulus might have made him not less a scholar, and more an author. Adam Smith might never have written that "Gray joins to the sublimity of Milton the elegance and harmony of Pope; and nothing is wanting to render him, perhaps, the first poet in the English language, but to have written a little more."

From Eton, Gray was transferred in 1734 to Peter-House at Cambridge, Walpole being at King's College, and West at Christ Church, Oxford. Here Gray's life, properly speaking, may be said to begin; for he led the life of a student, and his home was thenceforward within the walls of a University. Few persons lead lives so barren of incident as was his. Seldom does biography deal with details so unvarying. The most prominent events in his career were his difference with,

and separation from, Walpole, while on their travels; and his removal, after twenty years' residence, from Peter-House to Pembroke-Hall, on account of the pranks which certain roguish students inconsiderately played upon him. An occasional visit; a tour in Scotland; the publication of a poem or two; the delving in new mines of knowledge; a short essay, a careful commentary on some standard author, a scholarly examination of the principles of some branch of art, or an historical view of some period of literature; the claims of a somewhat varied correspondence; the fortunes of friends; the offer and refusal of the Poet-Laureateship, and of the degree of Doctor of Laws; the election to the chair of Modern History at Cambridge; — such incidents as these formed the chief ripples in the placid current of his life. There was nothing of excitement in the man himself, or in his experience. He was by nature fitted for cloistered quiet, and fortune aided nature. With him, therefore, more than with most authors, the every-day facts are of little worth, and the chief records of the man are to be found in his writings and studies.

At Cambridge Gray remained four years, — till 1738. His character, his tastes, and his habits were much the same as in his maturer years. With him, emphatically, the child was father of the man. He quietly and steadily employed himself with his studies and a few friends. He devoted himself chiefly to the classics, filled many hours with French and Italian, dabbled somewhat in history and philosophy, and showed no favor whatever to mathematics. The latter was the only important branch of learning to which he through life retained an aversion, and in which he never made progress. Nicholls, in his Reminiscences of Gray, states — what to us seems improbable, as being inconsistent with Gray's recorded views — that he afterwards regretted his want of mathematical knowledge. He never valued the science for itself; and, as a discipline of the attention and of the reasoning powers, he always argued that it was not necessary, — that metaphysics, or any works of close and deep reasoning, would serve quite as well. His views and reasons seem to have been similar to those of Warburton, and to those to which Gibbon, at a later period, gave vent in his Autobiography. In the discussion which

took place some years ago, as to the claims of mathematics, Gray would have sided with Whewell, and not with Babbage.

While at college, he wrote Latin verses on various subjects; made translations from Latin and Italian into English and Latin; and commenced the correspondence which furnished the recreation of a lifetime, and which has been, and will be, the delight of unnumbered thousands. His first attempt in English verse is believed to have been a translation, of about one hundred and ten lines in length, of a passage from the Thebaid of Statius. This was at the age of twenty, showing that Gray was not one of those precocious sons of the Muses who lisp in numbers from early childhood. Only a fragment of this version is included in the later editions of his works; but the whole might very properly be admitted, both on account of its intrinsic merit, and of the interest naturally felt in a poet's first production. Mason thought that he could perceive in it indications that Gray had already imbibed much of Dryden's spirited manner. His early preference of Dryden he retained through life, valuing his prose hardly less than his poetry, and always listening with impatience to any unfavorable criticism of his works. When Dr. Beattie, in conversing about Dryden, seemed somewhat backward in appreciating his merits, Gray told him, "that, if there was any excellence in his own numbers, he had learned it wholly from that great poet; and pressed him with great earnestness to study him, as his choice of words and versification was singularly happy and harmonious." Mason thought that he admired Dryden almost beyond bounds.

After leaving College, Gray, in company with his friend Walpole, started, in 1739, on the grand tour, and remained abroad about two years and a half. Their course was through France, Switzerland, and the North of Italy, to Florence, where they passed the winter and early spring. They then went to Rome, took a short trip to Naples, and visited Herculaneum, which had then just been discovered. Walpole, in a letter to West at Oxford, and Gray, in a letter to his mother of June 17, 1740, distinctly allude to this buried city, and to the excavations commenced in the previous year by his Sicilian Majesty. Returning, they remained for nearly a year

at Florence. During his travels Gray was by no means idle. His tastes were omnivorous, and his studies unremitted. The abundant remains of antiquity, the masterpieces of architecture, sculpture, and painting, the beauties of natural scenery, the study of French and Italian, the perusal of the ancient Latin authors in connection with the scenes of their labors, and shrewd observations on the life and manners of the modern inhabitants of the countries he visited, — all these alike occupied and interested him. He was familiar with the works of preceding tourists, and frequently refers us to the pages of Sandys and others, — the standard travellers of that day. He wrote often to his family and to West descriptions of parts of his journey, and filled a copious journal with criticisms, sketches of scenery, and the like; but he left behind him no connected account of his tour. The humor, fancy, erudition, and narrative power exhibited in the fragments we have, lead us to wish that they were more. Addison's account of his Tour was at that time considered the perfection of scholarly travel. It seems to us now quite frigid and antiquated. Gray, we think, would have far surpassed him in the judgment both of his own and of subsequent generations, — at least, if he had written in an epistolary form, in which he was *facile princeps*. We should have seen the scholar no less, and the man much more, with far more of delicate fancy, easy grace of manner, quiet touches of humor, and sportive raillery. For ourselves, we can hardly call to mind any English author whom we should have preferred as a traveller. His warm appreciation of Nature in her sterner and sublimer aspects appears in his famous description of the Grande Chartreuse, — a wild mountain-monastery in the midst of lofty Alpine scenery. So much did it fascinate him, that he turned aside to visit it a second time, and a second time he enthusiastically poured out in his letters the sublime emotions with which it filled his soul. An Alcaic Ode — perhaps his most finished specimen of Latin verse — was inspired by the genius of the place, and written in the album of the monastery. His account of the ascent and descent of Mount Cenis is graceful and spirited. His love of scenes of more gentle beauty is manifested in his description of the many attractions of Naples,

in his letter to West recounting his delight in Frascati and Tivoli, which he still further embodies in a beautiful Latin ode, also forwarded to his friend at Oxford. Many other fragments and hints remain, to show that his love of nature was not less than his love of books. His zeal and spirit as a traveller might be very well described in the words which he himself employed, in a letter to his friend Dr. Wharton, in 1758, to show the nature of his antiquarian studies: —

"The drift of my present studies is to know, wherever I am, what lies within reach, that may be worth seeing, whether it be building, ruin, park, garden, prospect, picture, or monument, — to whom it does or has belonged, and what has been the characteristic and taste of different ages. You will say this is the object of all antiquaries. But pray, what antiquary ever saw these objects in the same light, or desired to know them for a like reason?"

Besides the two Odes already mentioned, Gray wrote, during his absence from England, several short pieces and fragments in Latin verse, among which were a Fragment of a Latin Poem on the Gaurus, and a few lines of a Farewell to Florence. He also commenced at Florence, in 1739, a didactic poem in Latin hexameters, entitled "De Principiis Cogitandi," which was never finished. Sending it to West, he styles it the beginning, "not of an epic poem, but of a metaphysic one." There remain some two hundred lines of the first book, and about thirty of the fourth. If completed, it would have added nothing to the fame of Gray. His Muse was anything but didactic by nature.

Later in life, he writes to his friend Mr. Palgrave, in 1765, certain brief rules to be observed in travelling, which we cannot forbear to quote, on account of the good sense and useful hints to tourists contained in them. The fifth rule, in particular, has been often quoted.

"1. Vide quodcunque videndum est. 2. Quodcunque ego non vidi, id tu vide. 3. Quodcunque videris, scribe et describe; memoriæ ne fide. 4. Scribendo nil admirare; et cum pictor non sis, verbis omnia depinge. 5. Tritum viatorum compitum calca, et cum poteris desere. 6. Eme quodcunque emendum est: I do not mean pictures, medals, gems, drawings, &c. only; but clothes, stockings, shoes, handkerchiefs, little movables; everything you may want all your life long: but have a care of the custom-house."

After their second visit to Florence, while on their homeward journey, Gray and Walpole had an unfortunate disagreement, which caused them to separate. The trouble arose at Reggio, in April, 1741. There must have been much hard feeling between them, as they were never again on terms of intimacy with each other, though previously they had been so — at least in name and appearance — for several years. The rupture was undoubtedly due indirectly to their general incompatibility of character, habits, taste, and temper. The immediate occasion of their difference is not fully known. It was known to Mason, a firm friend of Gray, his literary executor, and earliest biographer; but he does not state it, as Walpole was still living. He remarked, however, to Nicholls, author of the Reminiscences of Gray, "that it was more surprising that two persons of characters so opposite to each other should ever have agreed, than that they should finally have separated." Nicholls himself says: —

"When I once endeavored to learn from him [Gray] the cause of his difference with, and separation from, Walpole, he said, 'Walpole was son of the first minister, and you may easily conceive that, on this account, he might assume an air of superiority,' (I will not answer for the *exact expression*, but it was to this effect,) 'or do or say something which perhaps I did not bear as well as I might.' This was all I ever heard from him on the subject, but it is instead of a volume to those who know the independent and lofty spirit of Gray."

Walpole was always willing to acknowledge his share of blame for their misunderstanding. In a letter to Mason, written in 1773, he states the case quite frankly: —

"I am conscious that, in the beginning of the differences between Gray and me, the fault was mine. I was young, too fond of my own diversions, nay, I do not doubt, too much intoxicated by indulgence, vanity, and the insolence of my situation as a prime minister's son, not to have been inattentive to the feelings of one, I blush to say it, that I knew was obliged to me, — of one whom presumption and folly made me deem not very superior in parts, though I have since felt my infinite inferiority to him. I treated him insolently. He loved me, and I did not think he did. I reproached him with the difference between us, when he acted from the conviction of knowing that he was my superior. I often disregarded his wish of seeing places, which I would not quit

my own amusements to visit, though I offered to send him thither without me. Forgive me if I say that his temper was not conciliating, at the same time that I confess to you, that he acted a more friendly part, had I had the sense to take advantage of it. He freely told me my faults. I declared I did not desire to hear them, nor would correct them. You will not wonder that, with the dignity of his spirit, and the obstinate carelessness of mine, the breach must have widened till we became incompatible."

Mason had the same opinion as to the general unfitness of the two for friendship and sympathy with each other. He speaks of the disagreement between them as "arising from the difference of their tempers. The former [Gray] being, from his earliest years, curious, pensive, and philosophical; the latter [Walpole] gay, lively, and consequently inconsiderate; this, therefore, occasioned their separation at Reggio."

Mr. Isaac Reed, in a manuscript note to Wakefield's Life of Gray, gives the only statement we have seen of the immediate cause of the rupture between Gray and Walpole. The statement, however, is not on his own authority, but based on a communication made to him by a third party whom he deemed worthy of reliance. The note referred to is as follows: "Mr. Roberts, of the Pell-Office, who was likely to be well informed, told me at Mr. Deacon's, 19th April, 1799, that the quarrel between Gray and Walpole was occasioned by a suspicion Mr. Walpole entertained, that Mr. Gray had spoken ill of him to some friends in England. To ascertain this, he clandestinely opened a letter, and resealed it, which Mr. Gray with great propriety resented; there seems to have been but little cordiality afterwards between them." Whether this alleged cause of separation was the true one cannot now be known. It seems not improbable, and is, at any rate, consistent with Walpole's acknowledgment that he was in fault in the matter. Though a reconciliation took place in 1744, by the mediation of a common friend, it was, as Mitford remarks, as far at least as Gray was concerned, "rather an act of civility and good manners than the re-establishment of a cordial and sincere attachment." It was the meeting of literary acquaintances, not the union of congenial friends. For many years they exchanged letters from time to time, informed each other of their schemes and

labors, and occasionally met. At these meetings literary chit-chat formed the staple of their intercourse, unrelieved by the expression of any warm personal attachment. They must have been dreary reunions indeed, if all were similar to the meeting which Nicholls describes. He says: "Mr. Walpole once invited Gray the poet, and Hogarth, to dine with him, but what with the reserve of the one, and a want of colloquial talents in the other, he never passed a duller time than between those representatives of Tragedy and Comedy; being obliged to rely entirely on his own efforts to support conversation."

After leaving Walpole at Reggio, Gray proceeded on his homeward journey, visiting Venice, Milan, and other cities in the North of Italy. We have no letters remaining to enable us to know the impressions which this part of his tour made upon him. It is greatly to be regretted that we have no description of Venice from his pen. That city, so fascinating to the traveller by its beauty, its treasures of art, and its glorious memories, must surely have aroused within him profound enthusiasm. His stay, however, was brief. Turning aside from the direct route to have another look at the Grande Chartreuse, he went leisurely on through France, and arrived in England in September, 1741.

Gray had now nearly completed his twenty-fifth year, and it seemed high time to look about him. The question presented itself, what to do. How should he settle himself in life? He was a cultivated, travelled young gentleman, of scholarly habits, refined tastes, and some acquaintance with good society. Like Ovid, Petrarch, Tasso, and Cowper, besides many other great names in ancient and modern poetry, he had at first an eye to the law as his profession. But his devotion to it was even less than that of any of those sons of the Muses whom we have named. His intention, if it was ever seriously entertained, was yet never more than a mere intention. He never received a "call"; never "ate his terms"; never fairly entered even into the preliminary studies. The means of his family, always limited, had been still further reduced by the mismanagement of his father, — a man who seems through life to have blended in some sort, in his business relations, the fortune of Murad the Unlucky with the inborn shiftlessness of Mr. Harold Skim-

pole. After his death, which took place a few months after his son's return from the Continent, his widow removed from London to Stoke, near Windsor, where she found a home in the house of a sister. Gray finding his home in London thus broken up, and either despairing of success in the law from his want of fortune, or — what is quite as probable — feeling a repugnance to the dry details of Coke and the Year-Books, took up his residence at Cambridge, — temporarily at first, and afterwards for life. Mason's account is as follows : —

"But the narrowness of his circumstances was not the only thing that distressed him at this period. He had, as we have seen, lost the friendship of Mr. Walpole abroad. He had also lost much time in his travels; a loss which application could not easily retrieve, when so severe and laborious a study as that of the common law was to be the object of it; and he well knew that, whatever improvement he might have made in this interval, either in taste or science, such improvement would stand him in little stead with regard to his present situation and exigencies."

It was never a matter of regret with him that he did not wear the coif. Many years later in life he writes thus : —

"I am never so angry as when I hear my acquaintance wishing they had been bred to some poking profession, or employed in some office of drudgery; as if it were pleasanter to be at the command of other people, than at one's own; and as if they could not go, unless they were wound up: yet I know and feel what they mean by this complaint; it proves that some spirit, something of genius (more than common) is required to teach a man how to employ himself."

It was, indeed, far better, both for him and for us, that he chose the cloisters of Cambridge instead of the law of London. If he had donned the barrister's wig, he would have made a bad lawyer, and spoiled a good poet. The qualities which give success at the bar were not his. He had none of Mr. Stryver's knack at elbowing himself forward in life, no strong animal spirits, no relish for business, no latent oratorical gifts, no love for mixing with men, and not the slightest desire to make money. Mason said that he had ever expunged the word *lucrative* from his vocabulary. His sensitiveness, his retiring nature, his almost feminine tastes, his meditative habits, and his bookishness, were, from the beginning, a part of himself,

and could not be left out of the account. It would have been most fatal not to recognize these facts of his being, or to attempt, in spite of them, to make himself other than nature meant, — to build up the fabric of his life from another ground-plan than that which the great Architect had given him. The duties of business — of an active life of the world — were not, and could not be, for him. He was of necessity a student, a thinker; and if not that, then just nothing at all. His life at Cambridge furnished nearly all the conditions necessary to his well-being; giving him an assured competency, books, leisure, ease, freedom from harassing cares, and congenial associations. An official position as Professor, or the like, such as he had for a few years near the close of his life, would have been, perhaps, an additional benefit, as it would have added an incentive, and supplied a more direct object, to his labors. It is, indeed, a matter of regret that the tree bore so little fruit; but that little was all sound and sweet, and much of it surpassingly rich. Many trees yield much fruit, but few bear the golden pippins. The plants which give the choicest flavor are often great absorbers and rare producers.

While in Paris, Gray had seen on the stage Racine's Britannicus. It seems to have impressed him forcibly, and that tragedy was always a favorite with him. Under the influence of his warm admiration of the work, he was led, shortly after his return, to attempt a tragedy on the Death of Agrippina, in Racine's manner. The plan was fully written out; but only the first scene and a part of the second were completed. This fragment he sent to West, in 1742, with the following odd comment: "I take the liberty of sending you a long speech of Agrippina, — much too long, but I could be glad you would retrench it. . . . . I fancy, if it ever be finished, it will be in the nature of Nat Lee's Bedlam Tragedy, which had twenty-five acts and some odd scenes." It is no loss to us that the tragedy was not finished, and that Gray never attempted another. His might have been the classic severity and the cold correctness of the French drama, but not the heroic rage of Corneille or the tender sentiments of Racine. His fire was to burn on other altars. If he could not pay a worthy tribute to Melpomene, he could offer a royal oblation

to Bacchus Dithyrambus. His hand could touch the lyre, though his foot might not tread the stage.

The "Ode to Spring" — Gray's first complete production in English lyric verse — was written at the residence of his family at Stoke, in the summer of 1742. As was his custom at that time with most of his writings, the Ode was sent to his friend West. But it never met his eye, for he was now no more, having died a short time previous. The manuscript title of the Ode was at first "Noontide"; but the present form is more appropriate, as the time of noon is merely an incident to the movement of the piece, and not the main subject of thought. There is a slumbrous quiet diffused throughout, a soothing murmur of summer insects, a lull in the very air, to which we must fain yield. In the lazy days of our early summer, which correspond to the English spring, these verses have always been and will be prime favorites with us. They give us rest and peace, and bring us into unison with the spirit of nature around. The turn at the end from nature to man is in the style of some of the serious Odes of Horace, — light and graceful. The application to human life is barely touched, not hammered out heavily, as we find it in Wordsworth and Bryant. Dr. Johnson admits that the Ode "has something poetical, both in the language and the thought; but the language is too luxuriant, and the thoughts have nothing new. . . . . The morality is natural, but too stale; the conclusion is pretty." He objects also to the prevailing practice of making participles from adjectives derived from substantives, such as "the *cultured* plain," "the *daisied* bank," and censures Gray's expression of "the *honied* spring." The Doctor must surely have been dreaming when he spoke so strongly in condemnation of an expression sanctioned by the highest authorities in our language. Whoever has the curiosity may find quoted in Mitford's Life of Gray a thorough refutation by Lord Grenville of this quibbling criticism of the great growler. We do not and shall not refer to his remarks on Gray, on account of any intrinsic merit or justness they possess; for they possess little or none. So great an authority, however, must carry weight, and deserves consideration, no matter what sentence it may pronounce. But the verdict of

the literary world in regard to his criticism on Gray has long been in accordance with the judgment of Sir James Mackintosh, who declared it to be "a monstrous example of critical injustice." We shall have occasion, before we close, to consider this topic more particularly.

The year 1742 was for Gray a fruitful one. Besides the "Ode to Spring," he wrote that noble "Ode on a Distant Prospect of Eton College," a Sonnet on the death of his friend West, and the "Hymn to Adversity." At this time, too, he gave the first touch to his "Elegy." He also turned his hand to translations from Greek, Latin, and Italian, and composed an epigram in Greek, and a fragment of his Latin poem "De Principiis Cogitandi." His classical studies were diligently prosecuted. He now took up his permanent residence at the University, and devoted himself for some time chiefly to the study of the Greek authors. After this period, he was seldom absent from the University for any great length of time, except from 1759 to 1762, when he visited London for the purpose of consulting the Harleian and other manuscripts in the British Museum, which was then first opened. But though residing almost for a lifetime within the precincts of his College, he had little sympathy with the tastes, or respect for the scholarship and mode of education, then prevailing at Cambridge. The devotion to mathematics which has always characterized that University was greater, comparatively speaking, then than now; and to Gray it seemed excessive. His tastes did not find, as we have before remarked, any gratification in the calculations of the science of quantity. Nor were the subtile speculations of the science of mind thoroughly congenial to him. A few years previously, during his first residence at Cambridge, in 1736, he indicates, in a letter to his friend Mr. Peterhouse, the tastes which accompanied him through life. He writes: "Must I plunge into metaphysics? Alas! I cannot see in the dark: nature has not furnished me with the optics of a cat. Must I pore upon mathematics? Alas! I cannot see in too much light: I am no eagle. It is very possible that two and two make four, but I would not give four farthings to demonstrate this ever so clearly; and if these be the profits of life, give

me the amusements of it." Though he did not approve of the course of study laid down, it was highly injudicious in him, to say the least, while a resident of the University, to criticise so harshly its scholarship and to satirize so freely its members. His course did not tend to heal breaches or to conciliate friends. He and his friend West seem to have sympathized on this point, as on most others. The tone of their letters in regard to their respective Universities is quite similar. West writes from Oxford: "Consider me very seriously here in a strange country, inhabited by things that call themselves Doctors and Masters of Arts, — a country flowing with syllogisms and ale, where Horace and Virgil are equally unknown." Gray even wrote a fragment of a "Hymn to Ignorance," whose object was to ridicule the system of things at Cambridge. Though commenced in this year 1742, it was never completed; nor did it meet the eye of the public till after his decease. It was undoubtedly suggested in some part, as Mitford thinks, by Pope's Dunciad, the fourth book of which had appeared a short time before. Bacon, we know, in a former age, spoke with great severity of the system of study prevalent in his own time; and, at a later day, Gibbon devoted many pages of his Autobiography to a stern criticism of education at Oxford. But neither Bacon nor Gibbon passed a lifetime within the cloisters they despised; and it would have been far more fitting for Gray either to satirize less or to be absent more.

As we remarked above, Gray now employed himself chiefly in reading the Greek authors. He applied himself with such assiduity, that, as Mason remarks, in the course of six years he had not only read, but thoroughly digested, every writer of note in that language, making at the same time, with the nicest scholarship, extracts, collations, criticisms, and commentaries on subjects and authors, and also preparing for his own use a labored Table of Greek Chronology. He writes to a friend: "I have read Pausanias and Athenæus all through; and Æschylus again. I am now in Pindar, and Lysias; for I take verse and prose together, like bread and cheese." His diligence again calls to mind the case of Gibbon, when at Lausanne, some ten years later, prosecuting the study of Greek,

as he himself says, without exaggeration, with "the most extraordinary diligence and rapid progress." The labors of both were indeed prodigious.

For a long time after returning to Cambridge, Gray seems to have repressed all poetic flights, contenting himself with study and meditation alone. His fertility in composition had been left behind him at Stoke. For many years the divine afflatus did not inspire him; and never again with the steady breath of 1741–42, but only in short and fitful gusts. The demon of study filled his soul with the greed of acquisition, and tempted him into many dry places. He often told Mason that reading was much more agreeable to him than writing. To a friend he wrote: "My life is like Harry the Fourth's, — 'Poulets en Ragoût, Poulets en Hachis, Poulets en Fricassée.' Reading here, reading there; nothing but books with different sauces." And at another time: "When you have seen one of my days, you have seen a whole year of my life; they go round and round, like the blind horse in the mill, only he has the satisfaction of fancying he makes a progress, and gets over some ground; my eyes are open enough to see the same dull prospect, and to know that, having made four-and-twenty steps more, I shall be just where I was." Towards the close of his life, Gray formed the acquaintance of an intelligent young Swiss, named De Bonstetten, son of the treasurer of Berne, and of a noble family. After studying at Lausanne and Leyden, he came to Cambridge, and there met Gray. In 1831 — just sixty years after Gray's death — De Bonstetten, then a man laden with years, wrote his "Souvenirs," which were published in the following year. His memory carried him faithfully back to the scenes of his younger days, and placed him face to face, as it were, with "le poète Anglais" whom he had known so long ago. His account gives so graphic a picture of Gray in his University retreat, and so well marks some of the predominant traits in his character, that we cannot pass it by. Nor have we the heart to dilute its racy flavor by translation. We give it, therefore, as written: —

"Dix-huit ans avant mon séjour à Nyon, j'avais passé quelques mois à Cambridge avec le célèbre poète Gray, presque dans la même inti-

mité qu'avec Matthison, mais avec cette différence que Gray avait trente ans de plus que moi, et Matthison seize de moins. Ma gaieté, mon amour pour la poésie Anglaise que je lisais avec Gray, l'avaient comme subjugué, de manière que la différence de nos âges n'était plus sentie par nous. J'étais logé à Cambridge dans un café, voisin de Pembroke Hall; Gray y vivait enseveli dans une espèce de cloître d'où le quinzième siècle n'avait pas encore déménagé. . . . . Gray en se condamnant à vivre à Cambridge oubliait que le génie du poète languit dans la sécheresse du cœur. Le génie poétique de Gray était tellement éteint dans le sombre manoir de Cambridge, que le souvenir de ses poésies lui étaient odieux. Il ne permit jamais de lui en parler. Quand je lui citais quelque vers de lui, il se taisait comme un enfant obstiné. Je lui disais quelquefois 'Voulez-vous bien me repondre?' Mais aucune parole ne sortait de sa bouche. Je le voyais tous les soirs de cinq heures à minuit. Nous lisions Shakespeare qu'il adorait, Dryden, Pope, Milton, etc., et nos conversations, comme celles de l'amitié, n'arrivaient jamais à la dernière pensée. Je racontais à Gray ma vie et mon pays, mais toute sa vie à lui était fermée pour moi. Jamais il ne me parlait de lui. Il y avait chez Gray entre le présent et le passé un abime infranchisable. Quand je voulais un approche, de sombres nuées venaient le couvrir. Je crois que Gray n'avait jamais aimé, c'était le mot de l'énigme. Il en était résulté une misère de cœur, qui faisait contraste avec son imagination ardente et profonde, qui, au lieu de faire le bonheur de sa vie, n'en était que le tourment. Gray avait de la gaieté dans l'esprit, et de la mélancolie dans le caractère. Mais cette mélancolie n'est qu'un besoin non satisfait de la sensibilité. Chez Gray elle tenait au genre de vie de son âme ardente, reléguée sous le pôle arctique de Cambridge."

The only objection to the foregoing portrait is, that its tints are many shades too sombre for the complexion of the original. It is hardly correct to speak of Gray as suffering from "la sécheresse du cœur," or "une misère de cœur." It is entirely true that "Gray avait de la gaieté dans l'esprit, et de la mélancolie dans le caractère"; but "la gaieté" was greater, and "la mélancolie" less than De Bonstetten thought, who judged his more mature friend with the eyes of youth. Gray's letters, and the accounts of those who knew him best, show that his life was not filled with gloom, nor void of affection. He was one who revealed himself very differently to different persons. His brightest side was seen only by those whom he

loved best, and with whom he had the strongest sympathy. The young Swiss, perhaps, saw neither the best nor the worst. The bond between them was not of the closest, and the poet at this late period of his life probably had a less free flow of spirits than in his younger days. Mr. Bancroft, in an essay on Temperaments, published many years ago in this Review, referred to Gray as an instance of the melancholic temperament, — according to the classification which prevailed at that time. Undoubtedly he was correct in supposing this temperament to have been predominant in the poet's organization. These designations of temperaments, however, though convenient for classification, and for *italicizing* in a general way the great leading facts of structure and constitution, are always extremely apt to mislead when we apply them. They represent only the *maxima* and *minima* of nature and of life. They describe types, not individuals. The proportions, if not abnormal, are, as compared with ordinary experience, out of drawing; for the sharpness of outline with which primeval nature might have touched her sketches of life has long since been worn away by the friction of countless generations. Seldom, if ever, is one found in whom the elements are so apportioned that his constitution accords with the prescribed ingredients of any one temperament. There is excess or deficiency in this or that point, and the man fails to tally with the measure of the books. Or, to change the figure, each temperament may be called a bed of Procrustes, to suit which the unlucky wight must be either stretched or clipped. Now, Gray's proportions are quite too large for this little cot-bed of melancholy. Either his temperament was not the unmixed melancholic, or the author of the essay above referred to erred in defining the root-principle — the main-spring — of that temperament. He says: "The melancholy man is haunted by a longing for glory." This is, with him, he remarks, the ruling passion, as love with the sanguineous, and ambition with the bilious man. Now it would be a hard thing, we take it, to prove that Gray was "haunted by a longing for glory," and an easy thing to show that he was not so haunted. The whole tenor of his life, the character of his studies, and the use made of them, his scanty productions, his neglect of

the plainest paths to distinction, his letters, and the accounts of those who knew him, — these all go to prove that the longing for glory was not a part of his being. In fact, of all men he was the most indifferent to this passion. It was this indifference, far more than any modesty or reserve, which led him to neglect to write, and often to omit publishing the little he had written. If he had felt the love of glory, he would never have had occasion to style himself "a shrimp of an author," as he did in a letter to Walpole, only three years before his death. Mason says that the object of his life was only self-improvement and self-gratification in learning. Another biographer speaks of his life as one "constantly devoted to the pursuit of knowledge, and the general improvement of the mind, for its own sake, and as a final purpose."

Again, the author of the essay remarks: "It is a weakness of the melancholic man, that he is always contemplating himself; the operations of his own mind, the real, or more probably the imaginary, woes of his own experience"; and "the melancholic is quite satisfied only when discoursing or musing on himself and his sorrows." We have never thought that the former was Gray's weakness, or one of his weaknesses; nor does his satisfaction seem to have sprung from the latter. We cannot now stop to discuss this point more fully. His writings and the story of his life are competent testimony; and we feel assured that they give evidence in our favor. If we should attempt to describe Gray's organization in accordance with the theory of temperaments, we should say that it was a representative of no one temperament, but a combination of three, — of the nervous and the phlegmatic with the melancholic, to use the nomenclature of the above-cited essay; and that the last was predominant. And if for a moment, for the sake of clearness, we could borrow the language of quantity to illustrate that which admits not of quantity, we should say that, supposing the sum total of his organization to be represented by five, three parts would be melancholic, one nervous, and one phlegmatic. To the first were owing his distrust, his reserve, his fits of despondency, and his occasional ennui; from the second came his sprightliness, his dainty, wayward humor, his tact in letters and want

of tact in life, and his elasticity of touch as author; while the third gave birth to his temptations to indolence, to his want of enthusiasm, to his narrow sympathies, and to his indifference to glory. It was because of the melancholic element in him that, while yet a young man, he wrote, in a fit of depression, a letter to West magnifying the blue devils of the moment into vapors of a lifetime: —

"Low spirits are my true and faithful companions; they get up with me, go to bed with me, make journeys and returns as I do; nay, and pay visits, and will even affect to be jocose, and force a feeble laugh with me; but most commonly we sit alone together, and are the prettiest insipid company in the world. However, when you come, I believe they must undergo the fate of all humble companions, and be discarded. Would I could turn them to the same use that you have done, and make an Apollo of them. If they could write such verses with me, not hartshorn, nor spirit of amber, nor all that furnishes the closet of an apothecary's widow, should persuade me to part with them."

It was his delicate nervous fibre that gave him his taste for quiet fun and raillery with his friends. He liked to fasten odd little nicknames on those he knew. King George II. went by the name of "The Old Horse"; he called the Duke of Newcastle "Old Fobus"; Lord Sandwich, "Jemmy Twitcher"; Dr. James Brown, Master of Pembroke Hall, "Petit Bon"; the Rev. Mr. Palgrave, "Old Pa"; and his friend Mason, "Scooddles." Hence, too, came the light touch of humor, sometimes almost evanescent, and the frisky, frolicsome spirit of his letters. Walpole wrote to Cole: "I find more people like the grave letters than those of humor; some think the latter a little affected, which is as wrong a judgment as they could make, for Gray never wrote anything easily but things of humor; humor was his natural and original turn, and though from his childhood he was grave and reserved, his genius led him to see things ludicrously and satirically; and though his health and dissatisfaction gave him low spirits, his melancholy turn was much more affected than his pleasantry in writing." And of his Life Walpole wrote, "I am charmed with it, and prefer it to all the biography I ever saw," — probably on account of this same fine nervous touch of humor. His sensitiveness as an author was such, that for

some time he would not finish his "Ode on the Progress of Poesy," because Mason had told him that, though he admired it greatly, he thought it would not suit the public taste. And when Mason urged him to go on with it, he said: "No, you have thrown cold water upon it." Again, from the phlegmatic side of his nature sprang a tendency to indolence, — to the *dolce far niente*, — against which, however, he successfully struggled, but to which he often referred, sometimes lamenting it, and sometimes making merry about it. To Wharton he wrote: "The spirit of Laziness (the spirit of the place) begins to possess even me, that have so long declaimed against it. Yet has it not so prevailed but that I feel that discontent with myself, that *ennui* that ever accompanies it in its beginnings." At another time, speaking of his remissness, he wrote: "Nothing so silly as indolence, when it hopes to disguise itself; every one knows it by its saunter." Not only his leaning to laziness, but his indifference to glory, crops out in the following sportive aspiration for happiness, contained in a letter to West: "Now as the paradisiacal pleasures of the Mahometans consist in playing upon the flute and lying with Houris, be mine to read eternal new romances of Marivaux and Crebillon." At another time he speaks of his "natural indolence and indisposition to act, and a want of alacrity in indulging any distant hopes, however flattering." We could multiply instances indefinitely in support of the views we have taken of the temperament of Gray, but the preceding seem to us quite sufficient to illustrate and substantiate our position. Under the classification more commonly adopted, which counts four temperaments, — the sanguineous, the nervous, the bilious, and the lymphatic, — Gray's organization would seem to us to have been the nervo-lymphatic. And, following the theory of the phrenologists, who make the temperaments but three, — the active, the vital, and the mental, — the poet would be a happy instance of the union of the vital and the mental, the latter element being largely predominant.

Gray once told Nicholls that he believed he felt his first strong predilections for poetry when he began at Eton to read Virgil for his own amusement, and not in school hours

as a task. Mason thought that the reason of his not attempting anything earlier in English verse might be found in his education at Eton, which led him to the classics rather than to vernacular literature. The Ode to Eton College, written, as we have seen, at Stoke, in 1742, was not published till 1747, being the first appearance of our author in print as an English poet. It made its appearance unheralded and alone, and, according to the fashion of the day, it was judiciously swathed in folio. About this time, Gray's portrait was painted, at Walpole's request; and on the paper which he is represented as holding, Walpole wrote the title of the Ode, with a line from Lucan, —

"Nec licuit populis parvum te, Nile, videre."

The poem met with very little attention until it was republished in 1751, with a few other of his Odes. Gray, in speaking of it to Walpole, in connection with the Ode to Spring, merely says that to him "the latter seems not worse than the former." But the former has always been the greater favorite, — perhaps more from the matter than the manner. It is the expression of the memories, the thoughts, and the feelings which arise unbidden in the mind of the man, as he looks once more on the scenes of his boyhood. He feels a new youth in the presence of those old joys. But the old friends are not there. Generations have come and gone; and an unknown race now frolic in boyish glee. His sad, prophetic eye cannot help looking into the future, and comparing these careless joys with the inevitable ills of life. Already he sees the fury passions in wait for their little victims. They seem present to him, like very demons. Our language contains no finer, more graphic personifications than these almost tangible shapes. Spenser is more circumstantial, Collins more vehement, but neither is more real. Though but outlines in miniature, they are as distinct as Dutch art. Every epithet is a life-like picture; not a word could be changed without destroying the tone of the whole. At last the musing poet asks himself, *Cui bono?* Why thus borrow trouble from the future? Why summon so soon the coming locusts, to poison before their time the glad waters of youth?

"Yet ah! why should they know their fate,
Since sorrow never comes too late,
And happiness so quickly flies?
Thought would destroy their paradise.
No more; — where ignorance is bliss,
'T is folly to be wise."

So, feeling and the want of feeling come together for once in the moral. The gay Roman satirist — the apostle of indifferentism — reaches the same goal, though he has travelled a different road. To Thaliarchus he says: —

"Quid sit futurum cras, fuge quærere: et
Quem Fors dierum cumque dabit, lucro
Appone."

The same easy-going philosophy of life forms the key-note of the Ode to Leuconoë: —

"Carpe diem, quam minimum credula postero";

of that to Quinctius Hirpinus: —

"Quid æternis minorem
Consiliis animum fatigas?"

of that to Pompeius Grosphus: —

"Lætus in præsens animus, quod ultra est,
Oderit curare."

And so with many others. "Take no thought of the morrow."

Dr. Johnson, of course, could see in this Ode of Gray nothing to admire. Whatever was not stale morality and puerile sentiment was false rhetoric. But his hypercriticism, as has been well shown, was like a two-edged sword, cutting both ways. The address to "Father Thames," which he condemns, was sanctioned not only by the authority of Virgil, in his invocation to the Tiber, but subsequently by his own pompous apostrophe to the Nile, in Rasselas. The learned critic must surely have forgotten himself in his zeal for fault-finding. In fact, throughout his Life of Gray, his design seems to be only to quibble and carp, hardly rising anywhere into wholesome criticism. It is with much difficulty that he can persuade himself to make any admissions in favor of the author or the man; he can concede that he might have written good

Latin verses, with more practice, that he had stored away much learning, that his accounts of his travels had some interest, and that the common judgment of the Elegy was, on the whole, correct. But farther than this he cannot go; to the many poetical merits of his author he is wilfully blind. Macaulay has very truly said of Johnson, that "the characteristic peculiarity of his intellect was the union of great powers with low prejudices"; that "his whole code of criticism rested on pure assumption"; and, in another place, that, of all his Lives, "the very worst is beyond all doubt that of Gray." He called Gray "a barren rascal," "a mechanical poet," and told Boswell that "he was dull everywhere. He was dull in a new way, and that made many people think him great." He accused him of "effeminacy," of "fantastic foppery," and of being "fastidious." But it does not appear so difficult as many have thought to ascertain the grounds of this dislike. Many reasons might be assigned. Though the poet was a contemporary of the critic, — being born seven years later, and dying thirteen years earlier, — he was never affiliated with the literary coterie of the great dictator, never bowed to his authority. He had, moreover, a certain ambition to be considered not as a professed author, but rather as a gentleman studying only for his own amusement. For these reasons, if for no other, he could claim neither mercy nor sympathy at the hands of his critic. But he was at the same time a Cambridge man, while Johnson thought with and for Oxford, clinging to its traditions with unusual ardor, and keeping alive its petty jealousies with all the rancor of the strongest partisan. Again, Gray was liberal and catholic in his views of the Church, and not at all given to priestcraft or superstition; but Johnson believed in the Cock-lane ghost, and was a Churchman of the stamp of Laud. Hartley Coleridge remarks, in his Northern Worthies, speaking of Bentley: "Everything in England takes the shape and hue of politics. You may form a very likely guess at an Englishman's political sentiments from hearing his opinions upon poetry, his comparative estimate of classical and mathematical learning, his preference of physical or metaphysical science, or even his judgment in a dispute between two neighboring families." The converse of the proposition

is also true. The opinions upon poetry may he inferred from the opinions upon politics. Now, Gray was "a vile Whig"; while Johnson worshipped Charles the Martyr, and fully believed in "the right divine of kings to govern wrong." Gray travelled, and studied history; Johnson thought that nothing was learned by travel, and had no patience with history. A trip in the Hampstead stage he placed on a par with the tour of Europe; he believed, with Sir Robert Walpole, that all history is false, and would have sympathized with D'Alembert in his wish that all record of past transactions could be blotted out. Besides, Gray was nice in his tastes, refined in his manners, and select in his friendships; Johnson — a boor in manner and a sloven in habits — railed at all delicacy as pure affectation. There was the same contrast in their studies as in their manners. Gray's researches were not only extensive, but exhaustive, never leaving his subject till it was thoroughly mastered in every part. There was nothing whatever of the sciolist about him. Johnson was comparatively but a smatterer in learning. He had not profound knowledge on any subject. He confessed that he seldom or never read a book through. In study, not only his precept but his practice was to follow the whim of the moment, — fortifying himself with the authority of Shakespeare: —

> "No profit grows where is no pleasure ta'en.
> In brief, sir, study what you most affect."

Between minds so different there could be but little sympathy.

The above-named considerations are sufficient to explain the origin and to illustrate the nature of Johnson's violent prejudice against Gray. The men being what they were, the case could not have been different. There was necessarily, not only want of appreciation, but positive antipathy on the part of the critic. But he did not content himself with travelling the beaten path, and branding as cheap glass all the jewels he saw: he ransacked out-of-the-way corners for mud to fling at the owner. In this way he contributed largely to what Mackintosh justly called "the deformities of the Life of Gray." He stigmatized it as "a fantastic foppery" in Gray,

that "he had a notion, not very peculiar, that he could not write but at certain times or at happy moments." The notion was, indeed, "not very peculiar," as it has been held from the beginning, by probably nine out of every ten of the "genus irritabile vatum." But even if it were so, was it necessarily an affectation? Was the great Coryphæus himself entirely free from the notion? Why, then, the fifteen cups of tea by way of literary preparation? Why his needless delay in writing what had already been paid for? We submit that — to use a legal phrase — the complainant does not come into court with clean hands. But it is useless to dwell longer on this topic. The following thoughts, however, may be of service here in throwing light on the general *animus* of the biographer and critic. Hartley Coleridge remarks that, while Johnson admired Pope as a poet, he "had so little respect for him as a man, that he exerted more than his usual industry in collecting anecdotes to render him odious and contemptible. But Johnson appears to have written the lives of the poets with no other view but to convince the world that they were no more than 'indifferent children of the earth.'" Roscoe also, in his Preface to the Life of Pope, writes thus: "Throughout the whole of these Lives there appears an assumption of superiority in the biographer over the subject of his labors, which diminishes the idea of their talents, and leaves an unfavorable impression of their moral character." We are happy, in conclusion, to find one sentiment at least in the Life of Gray which we can cordially adopt: "By the common sense of readers uncorrupted with literary prejudices, after all the refinements of subtilty and the dogmatism of learning, must be finally decided all claim to poetical honors."

We come now to a more pleasing subject, — the consideration of the "Elegy written in a Country Churchyard." It is upon this that Gray's fame as a poet must chiefly rest. By this he will be known forever alike to the lettered and the unlettered. Many, in future ages, who may never have heard of his classic Odes, his various learning, or his sparkling letters, will revere him only as the author of the Elegy. For this he will be enshrined through all time in the hearts of the myriads who shall speak our English tongue. For this his name will

be held in glad remembrance in the far-off summer isles of the Pacific, and amidst the wastes of polar snows. If he had written nothing else, his place as a leading poet in our language would still be assured. Many have asserted, with Johnson, that he was a mere mechanical poet, — one who brought from without, but never found within; that the gift of inspiration was not native to him; that his imagination was borrowed finery, his fancy tinsel, and his invention the world's well-worn jewels; that whatever in his verse was poetic was not new, and what was new was not poetic; that he was only an unworldly dyspeptic, living amid many books, and laboriously delving for a lifetime between musty covers, picking out now and then another's gems and bits of ore, and fashioning them into ill-compacted mosaics, which he wrongly called his own. To all this the Elegy is a sufficient answer. It is not old, — it is not bookish; it is new and human. Books could not make its maker: he was born of the divine breath alone. Consider all the commentators, the scholiasts, the interpreters, the annotators, and other like book-worms, from Aristarchus down to Doederlein; and may it not be said that, among them all, "Nec viget quidquam simile aut secundum"? Even his surly critic confesses that the four stanzas beginning, "Yet even these bones" are to him original; and that, "had Gray often written thus, it had been vain to blame and useless to praise him." Gray wrote but little, yet he wrote that little well. He might have done far more for us; the same is true of most men, even of the greatest. The possibilities of a life are always in advance of its performance. But we cannot say that his life was a wasted one. Even this little Elegy alone should go for much. For, suppose that he had never written this, but instead had done much else in other ways, according to his powers; that he had written many learned treatises; that he had, with keen criticism, expounded and reconstructed Greek classics; that he had, perchance, sat upon the woolsack, and laid rich offerings at the feet of blind Justice; — taking the years together, would it have been, on the whole, better either for him or for us? Would he have added so much to the sum of human happiness? He might thus have made himself a power for a time, to be dethroned by some new

usurper in the realm of knowledge; now he is a power and a joy forever to countless thousands. Many humble homes have been gladdened; even the warrior on the eve of battle has been inspired by this simple Elegy. Call to mind the familiar yet ever beautiful story of Wolfe, who conquered and died on the Plains of Abraham. On the 13th of September, 1759, he and his army were floating at night along the St. Lawrence, to take their station for the morrow's conflict. Let us listen to the story in the words of Lord Mahon.

"Swiftly, but silently, did the boats fall down with the tide, unobserved by the enemy's sentinels at their posts along the shore. Of the soldiers on board, how eagerly must every heart have throbbed at the coming conflict! how intently must every eye have contemplated the dark outline, as it lay pencilled upon the midnight sky, and as every moment it grew closer and clearer, of the hostile heights! Not a word was spoken, — not a sound heard beyond the rippling of the stream. Wolfe alone — thus tradition has told us — repeated in a low voice to the other officers in his boat those beautiful stanzas with which a country churchyard inspired the Muse of Gray. One noble line —

'The paths of glory lead but to the grave' —

must have seemed at such a moment fraught with mournful meaning. At the close of the recitation, Wolfe added, 'Now, gentlemen, I would rather be the author of that poem than take Quebec.'"

What finer test of fame could there be than this? It is far better and truer than that which Coleridge applied to Thomson, when, finding in a country tavern a copy of "The Seasons" well-thumbed and dog's-eared, yet carefully preserved, he exclaimed, "This is true fame."

The Elegy, though commenced in 1742, soon after the death of West, — doubtless suggested in part by that event, — was not finished till some eight years afterward. Mason thought that possibly it was concluded in the same year which witnessed its commencement. Gray, however, has fixed the date beyond dispute, in a letter to Walpole, dated June 12, 1750: "I have been here at Stoke a few days (where I shall continue good part of the summer); and having put an end to a thing whose beginning you have seen long ago, I immediately send it to you. You will, I hope, look upon it in the light of a thing with an end to it: a merit that most

of my writings have wanted, and are like to want." The "thing" thus referred to was unquestionably the Elegy, as all admit who have taken the trouble to look into the subject. It was never Gray's practice to force the growth of his best fruit, but to let it ripen slowly till the flavor was perfect. In the case of the Elegy, he complied literally with the Horatian precept, — "Nonumque prematur in annum." It was first submitted in manuscript, in 1750, to the judgment of a small but select public, and received at once their hearty approbation. In February, 1751, it was given to the world. Its immediate success appears from a note in Gray's handwriting, on the margin of the Pembroke College manuscript, as follows: "Published in Feby 1751 by Dodsley and went thro' four editions in two months; & afterwards a fifth, 6th, 7th, 8th, 9th, & 10th, & 11th; printed also in 1753 with Mr. Bentley's Designs of w^{ch} there is a 2^{d} Edition & again by Dodsley in his Miscellany, Vol. 4th & in a Scotch collection called the Union; translated into Latin by Chr. Anstey Esq. & the Rev. Mr. Roberts, & published in 1762; & again in the same year by Rob. Lloyd, M.A." It was printed in the first editions, according to the author's wish, without any interval between the stanzas, his reason being that the sense was sometimes continued beyond them. He also wrote to Walpole, who superintended the publication, not to have the author's name appear, and thought it better, too, if the publisher would add a line or two to say that the poem came into his hands by accident. No one was more surprised than the author at its instant popularity, — arising, he thought, entirely from "the affecting and pensive cast of the subject," and not from the sentiment or the expression. In fact, he thought it would have succeeded equally well if written in prose. In this opinion he can only be considered as adding another instance to the long list of fallacious judgments of authors on their own works. The line from Virgil, —

"Sunt lacrymæ rerum, et mentem mortalia tangunt," —

he at first thought of adopting as a motto for the poem; until Mason reminded him that it had been previously used for the same purpose by Young, in his "Night Thoughts."

Gray may be said to have been driven, in self-defence, to the publication of the Elegy. A copy of the poem slipped through Walpole's fingers into the hands of the proprietors of a periodical called "The Magazine of Magazines." On February 11, 1751, Gray wrote to Walpole that he had received a letter from the gentlemen conducting the Magazine, saying that they were publishing the Elegy, and desiring the honor of his correspondence. Then first it was that Gray thought of publishing the work for himself, lest he should sow and another should reap. Thereupon he wrote to Walpole the directions as above, wishing him, too, to get Dodsley to hurry up the work as soon as possible, — to print it in less than a week's time with best paper and character. It was thus a close race between the Magazine and Dodsley; but the former, having a little the start, came out a few days ahead. Reversing the usual order, the Magazine gave the author's name, while the author's own edition, in book form, was anonymous, and sent into the world under the fiction of an accident. Its paper was coarse; its pages were seven; the attractions of its frontispiece were scythes and hour-glasses, skulls and marrow-bones; and its price was sixpence. It — the *princeps editio* — was, in fact, the very antipodes of the beautiful edition published by the Etching Club, in 1847, or of that issued in 1846, illuminated by Owen Jones. As great a contrast exists between the first review which we have of the poem, and the careful criticisms of later years. The Monthly Review — then the great Rhadamanthus — gave the following notice: "*An Elegy in a Country Churchyard.* 4to. Dodsley. Seven pages. — The excellence of this little piece amply compensates for its want of quantity." This, at all events, has the merit of brevity.

It would be useless for us to attempt an analysis or criticism of a poem so well known and so much bewritten as the Elegy. We could say nothing which has not been often said before. "Pereant qui ante nos nostra dixerunt!" We will therefore leave this travelled road, and pick our way along a humbler path. The poem, as we now read it, is quite different from the author's original draft, and also varies somewhat from the text of the early editions. It will be both instructive and

interesting to examine these various changes, and to observe how sentiments and expressions were gradually modified in the author's mind, — almost invariably for the better. We can thus better appreciate the exquisite taste, the elaborate finish, the patient painstaking of years, which the author displays, — more characteristically here than elsewhere. Fortunately, all the means of comparison remain. Two manuscripts of the Elegy, in Gray's own handwriting, still exist. Their history in brief is as follows. Both were bequeathed by Gray, together with his library, letters, and many other miscellaneous papers, to his friends the Rev. William Mason and the Rev. Dr. James Browne, Master of Pembroke Hall, as joint literary executors. Mason bequeathed the entire trust to Mr. Stonehewer. The latter, in making his will, divided these literary remains into two parts. The larger share fell to the Master and Fellows of Pembroke Hall. Among the papers — which are still in the possession of the College — was found a copy of the Elegy, now known as the Pembroke Hall Manuscript. An excellent fac-simile appears in Mathias's edition of Gray, published in 1814, by desire of the College authorities, — numbered second on our list at the head of this article. The remaining portion of Gray's literary bequest was left by Mr. Stonhewer to his friend, Mr. Bright. This collection comprised the poet's library, a volume of unpublished correspondence with Mason, and various other letters and papers, — also the other manuscript of the Elegy. In 1845, Mr. Bright's sons sold the collection at auction. A Mr. Penn, of Stoke-Poges, was the chief purchaser. The volume of correspondence he placed in Mitford's hands for publication. This is the work published in 1853, — numbered fifth on our list. Mr. Penn also bought the manuscript of the Elegy for £100, — the highest sum ever paid for a single sheet of paper. Among others, the manuscript of "A Long Story" brought £45. The entire collection of papers was sold for £418 7*s*. In 1854, this manuscript of the Elegy came again into the market, and was finally knocked down to Mr. Robert Charles Wrightson for the unprecedented sum of £131. As he is still the owner of it, we shall designate it as the Wrightson MS. The recent publication of a beautiful photograph of

this manuscript — numbered seven on our list — has aroused a new interest in the poem, and has called forth some slight discussion as to the comparative claims to originality of the two manuscripts. Mr. Wrightson asserts that his is the original, and that the autograph at Pembroke Hall is manifestly a fair copy made by the poet. After careful examination, we are inclined to think him correct. The Wrightson MS. contains a greater number of alterations, and is more at variance with our present version. It was probably the rough draft, while the other represents the poem at a stage or two later. We shall therefore take the Wrightson MS. as our standard of comparison. The poem was written on the four sides of a sheet of common letter-paper, about seven inches by nine. The writing is now rather faint, but still clear and distinct, though close and much interlined. The sheet has many folds and creases, which may have been due, as has been suggested, to its being carried about in a pocket-book to read at tea-drinkings and other social gatherings of appreciating friends.

The numbering which we adopt is that of the stanzas in our present version. The Wrightson MS. contains six entire verses — (or rather five, one being remodelled and used in another part of the poem) — which are now omitted, besides many words, phrases, and entire lines which have been recast. That these alterations are generally for the better is due not only to Gray's own good taste, but in part also to the less partial judgment of Mason, who suggested several variations.

The 1st stanza is unaltered. Dr. Warton, however, used to make the first line read thus: —

> "The curfew tolls! — The knell of parting day."

But the version is merely *auctore* Warton.

In the 2d stanza, the phrase "And all the air" is in the MS. "And now the air." The word "now" had been used in the preceding line.

The 5th stanza is, according to the MS., as follows: —

> "For ever sleep. The breezy call of morn,
> Or swallow twitt'ring from the straw-built shed,
> Or Chaunticleer so shrill, or echoing horn," &c.

In the 8th stanza, "rustic joys" has been changed to "homely joys."

The first two lines in the 10th stanza stand thus in the MS.: —

> " Forgive, ye proud, th' involuntary fault,
> If memory to these no trophies raise."

The MS. has, in the 12th stanza, " reins of empire " instead of the present form, " rod of empire." The latter form is far more appropriate to be used with the verb *sway*.

In the 13th stanza, the MS. reads " depressed " for " repressed."

The MS. form of the 15th stanza is as follows: —

> " Some village Cato, who, with dauntless breast,
> The little tyrant of his fields withstood;
> Some mute inglorious Tully here may rest;
> Some Cæsar guiltless of his country's blood."

In the printed version we have Hampden for Cato, Milton for Tully, and Cromwell for Cæsar. These changes, suggested by Mason, are most judicious, being in keeping with the thoroughly English character of the poem.

In the 18th stanza, the MS. has " crown the shrine " for " heap the shrine." After this stanza, the MS. contains the four following stanzas, now omitted: —

> " The thoughtless World to Majesty may bow,
> Exalt the brave, and idolise success;
> But more to Innocence their safety owe
> Than Power and Genius e'er conspired to bless.
>
> " And thou who, mindful of the unhonored Dead,
> Dost in these notes their artless tale relate,
> By night and lonely contemplation led
> To linger in the lonely walks of Fate:
>
> " Hark! how the sacred calm that breathes around
> Bids every fierce tumultuous passion cease;
> In still small accents whisp'ring from the ground
> A grateful earnest of eternal peace.
>
> " No more, with Reason and thyself at strife,
> Give anxious cares and endless wishes room;
> But through the cool sequester'd vale of life
> Pursue the silent tenour of thy doom."

The second of these rejected stanzas, it will be noticed, has

been made over, and adopted as the twenty-fourth of the present version. Mason thought that there was a pathetic melancholy in the entire four, which highly claimed preservation. He considered the third as equal to any in the whole Elegy. The poem was originally intended to end here, until the happy idea of the hoary-headed swain suggested itself to the author.

In the 19th stanza, the MS. reading is "knew to stray," in place of "learn'd to stray." It will be noticed that the last two lines vary but slightly from the last two lines of the fourth of the above rejected stanzas.

In the 21st stanza, "Epitaph" has been changed to "Elegy."

The MS. reading of the last line of the 23d stanza is as follows: —

"And buried ashes glow with social fires."

"Social" became "wonted" in the first and some following editions; and finally the entire line was changed to its present finer form. As it stands, it seems to us one of the happiest lines of the poem, as it has certainly been one of the most popular. Mason preferred, however, the first reading, — with "wonted" substituted for "social," and objected to what he called "the appearance of quaintness" in the later version. He also objected, rather hypercritically we think, to the obscurity of the idea in both readings, and thought it might be amended by rejecting the metaphysical term "fires," and making the line stand thus: —

"Awake and faithful to her first desires."

"Cela est très beau, mais ce n'est pas la poésie."

In the MS., the 24th stanza reads as follows: —

"If chance, that e'er some pensive Spirit more,
By sympathetic musings here delay'd,
With vain, though kind inquiry shall explore
Thy once-loved haunt, this long deserted shade."

The present version seems to have been compounded of a judicious blending of the above with the second of the four rejected stanzas.

The MS. form of the last line of the 25th stanza is the following: —

"On the high brow of yonder hanging lawn."

Here occurs a stanza now omitted: —

> "Him have we seen the greenwood side along,
> While o'er the heath we hied, our labours done,
> Oft as the woodlark piped her farewell song,
> With wistful eyes pursue the setting sun."

Mason remarked: "I rather wonder that he rejected this stanza, as it not only has the same sort of Doric delicacy which charms us peculiarly in this part of the poem, but also completes the account of his whole day; whereas, this evening scene being omitted, we have only his morning-walk, and his noontide repose."

In the 27th stanza, the first line appears thus in the MS.: —

> "With gestures quaint, now smiling as in scorn," —

instead of the present form, "Hard by yon wood," &c.

After the 29th stanza, and before the Epitaph, the MS. contains the following omitted stanza: —

> "There scatter'd oft, the earliest of ye year,
> By hands unseen are frequent violets found;
> The robin loves to build and warble there,
> And little footsteps lightly print the ground."

This — with two or three verbal changes only — was inserted in all the editions up to 1753, when it was dropped. This appears by a note in Gray's handwriting, on the margin of the Pembroke Hall MS., as follows: "Omitted in 1753." The omission was not made from any objection to the stanza in itself, but simply because it was too long a parenthesis in this place; on the principle which he states in a letter to Dr. Beattie: "As to description, I have always thought that it made the most graceful ornament of poetry, but never ought to make the subject." The part was sacrificed for the good of the whole. Mason very justly remarked, that "the lines, however, are in themselves exquisitely fine, and demand preservation."

In the first line of the 31st stanza — the 2d of the Epitaph — the MS. has "heart" for "soul."

The MS. version of the 32d and last stanza is as follows: —

> "No farther seek his merits to disclose,
> Nor seek to draw them from their dread abode —
> (His frailties there in trembling hope repose);
> The bosom of his Father and his God."

Mitford has made several technical criticisms of words and phrases occurring in this poem. Some of the corrections are, however, entirely gratuitous. For instance, the word "or" at the beginning of the second line of the last stanza, as it reads in the printed version, he says should be "nor." But either might be grammatically correct; for the clause will bear two constructions equally appropriate, one of which would require the connective "or," and the other "nor." If the verb "draw" is an imperative, standing in the same category as, and independent of, the verb "seek," in the first line, the force of the negative connected with "seek" would extend, of course, only to its subsidiary words, and would therefore be exhausted at the end of the first line, with the word "disclose." For the second line a new negative would then be needed. But "draw" may be an infinitive, with its sign "to" omitted. It would then stand in the same category with "to disclose," in the first line, — both being similarly dependent on the leading word "seek"; and the negative expressed with this governing word would then be of force throughout all the subordinate phrases, as far as the end of the second line. In this case, the connective "or" could alone be used. That this last construction was in the mind of the poet — that the word "seek" must be understood as the governing word to the word "draw" — appears from the above MS. version, where "seek" is repeated. We might dispose in a similar way of other needless criticisms of Mitford; but "le jeu ne vaut pas la chandelle."

The places which have been assigned as the locality of the Elegy are almost as numerous as the cities which claimed to be the birthplace of Homer. We can stop for but a word or two in regard to a few of the competitors. The more general sentiment has always been in favor of Stoke-Poges; and in our own mind there is no doubt of its correctness. It can be proved that the Elegy was commenced in the year 1742; that during a good part of that year Gray was at Stoke; that the Ode to Eton College, the Ode to Spring, and probably some others, were not only written in this same year, but written at Stoke; that the Elegy was finished at Stoke, in the year 1750; that the place was familiar to him by his own resi-

dence there, and endeared by the presence of his fondly cherished mother, and by many other precious associations; and that it has a churchyard in perfect keeping with the spirit of the poem, where the remains of the author were finally placed, at his own request, by the side of his mother. Negatively, we hear no mention of the poem, and can find no trace whatever of its having been touched at all between these two dates of 1742 and 1750, in each of which years the author spent several months at Stoke. No other place has a tithe of these probabilities in its favor. The common Cambridge tradition is, that Gray was in the habit of taking his "constitutional" daily to Grantchester, a small parish about two miles and a half southwest of the University; and that to Grantchester the Elegiac honors should be paid. A similar tradition makes a similar claim, on similar grounds, for Madingley, some three miles and a half northwest of Cambridge. Both Grantchester and Madingley possess suitable machinery and properties in the shape of sweet English burial-places; and that is nearly all that can be said in favor of their claims. In regard to both, it seems to us that "the wish was father to the thought." It should certainly require strong evidence to rebut the manifest *a priori* objections to Cambridge as the meridian of the poem. We cannot easily believe that Gray would select as the scene of so tender a piece any spot which was not hallowed by the fondest associations. The writer of the remarks appended to the Photograph of the Wrightson MS. puts forward a claim in behalf of a place called Burnham Beeches, in Buckinghamshire, which Gray often visited, his uncle having a seat in the neighborhood. He once wrote to Walpole a very pretty description of the mountains and precipices of the place, and casually mentioned the existence of certain beeches, at the foot of which he would "squat," and "there grow to the trunk a whole morning." This word "beeches" is quite enough for our writer. He recollects that the word "beech" occurs in the Elegy. This remarkable coincidence means something. Of course it proves satisfactorily that the beech-containing poem sprang from the beech-containing place. No other hypothesis will support the facts in the case; and it is no objection whatever that Burn-

ham has "beeches," but no vestige of a churchyard. This want he proposes to supply by borrowing *pro re nata* "the picturesque churchyard in the path at Stoke." Thus the *dramatis personæ* of this poor farce of a theory are made complete. But we will delay no longer on this much-vexed question. Our own judgment we have already recorded in favor of Stoke.

The popularity of the Elegy has not been confined within the limits of its native tongue. No English poem has been so often translated. A few years ago the number of versions in different languages were reckoned up as follows: in Hebrew, one; in Greek, eight; in Latin, twelve; in Italian, thirteen; in Portuguese, one; in French, fifteen; and in German, six. Polyglot editions have been issued not only in England, but in Italy. Dr. Beattie wrote that Gray was justly admired beyond any poet of his age; yet that few knew anything of his but the Elegy, by no means the best of his works. Byron, however, thought that, if Gray had written nothing else, his fame might have stood even higher than at present.

We may remark, in passing, that the third line of the Elegy —

"The ploughman homeward plods his weary way"—

is quite peculiar in its possible transformations. We have made twenty different versions preserving the rhythm, the general sentiment, and the rhyming word. Any one of these variations might be, not inappropriately, substituted for the original reading.

We have left ourselves but little space for speaking of Gray's remaining poems, and will say but a word or two in reference to a few of them. The fragment of about one hundred lines, "On the Alliance of Education and Government," was finished, so far as we have it, about 1755, though published posthumously. Gibbon asks regretfully: "Instead of compiling tables of chronology and natural history, why did not Mr. Gray apply the powers of his genius to finish the philosophic poem of which he has left such an exquisite specimen?" In the same year, "The Bard" was commenced, and the "Ode on the Progress of Poesy" finished; and two years later they were published. The higher kind of

lyrics are nearly as rare as good epics; and it is no slight praise to an author to have written two odes which are entitled to a leading place among their fellows in all tongues. In English they will rank forever with Milton's Ode "On the Morning of Christ's Nativity," Dryden's "Ode in Honor of St. Cecilia's Day," commonly called "Alexander's Feast," Collins's "Ode to the Passions," and Wordsworth's "Ode on Immortality." "The Bard" we should place above all but the last, for its magnificent diction, its lofty passion, its skilful variety, and its gorgeous imagination. Neither of the two Odes has ever been popular, or ever will be. They presuppose too high cultivation, and require too strict attention, for the mass of readers. But to minds enriched by sound learning, and gifted with poetic insight, they have ever been precious legacies. Gray very amusingly adverts, in letters to Hurd, Wharton, and Mason, shortly after their publication, to the prolific ridicule launched from many quarters at these poems, — consisting mainly of charges of obscurity, incomprehensibleness, and the like. These charges have been so often and so ably refuted that we will not dwell longer upon them.

Few English poets have left, in proportion to the bulk of their writings, so many common quotations and pet phrases as Gray. To say nothing of the Elegy, whose diction has been coined throughout into household words with all, there are, scattered up and down in this little poem, scores of well-worn passages, —

> "Jewels five words long,
> That on the stretched forefinger of all Time
> Sparkle forever."

Every one admires them, though not every one knows the owner. Common opinion, we know, is at variance with us on this point, and supposes that Gray left but little which is in general use; and we therefore regret the more that time will not permit us to point out any of these bright poetical stars which have wandered away from their allegiance. Gray could not have been a mere scholarly recluse; cordial adoption is given only to the poet who has heart, humanity, and sympathy. Burns and Gray had but little in common; they were antipodes in very many respects. We should hardly look for

a warm appreciation of the book-learned poet from the rustic bard; and least of all for any testimony to his feeling and emotion. And yet even Burns noted him as more than all a poet of passion. In his poem called "The Vision," singling out Gray from all others, he speaks of himself as one unable to

> "Pour, with Gray, the moving flow
> Warm on the heart."

Yet the one most prominent feature of his poetry was its supreme art. As a poetical artist he has had, during the whole range of English literature, not one superior. We should be inclined to name two, and only two, as his compeers, — Pope and Tennyson. These three have hardly anything else in common than their exquisite finish; and yet the finish of each is his own, flowing from the nature of the man. The finish of Pope is that of the shrewd logician, most cunning in verbal fence; that of Gray is the expression of the scholar and man of feeling combined, showing the nicest culture and broadest sympathies; that of Tennyson marks the acute, almost morbid metaphysician, who delights in subtile analysis, and taxes the powers of language to embody whatever is most shadowy in feeling and most vague in thought. Pope's verse is the Damascus blade, polished and trenchant, — it glitters, and tells of death; Gray's is the graceful column, whose smooth surface reflects both light and heat, whose faultless outline attests the maker's skill, and whose sides are adorned here and there with precious mosaics from far-off lands; Tennyson's is a glassy mirror gorgeously framed, whose surface is misty and splintered, showing us beautiful bits of humanity and of nature, yet piecemeal, cloudy, and out of line. Pope's surface reflects light alone; Gray's more heat than light; and Tennyson's more light than heat. Or we may say generally, that the art of the first lies mainly in words; that of the second in synthesis; and that of the last in analysis.

We have already alluded to Gray's admiration of Dryden. For Spenser, too, he had a great fondness, and always read his works for some time before composing, — quite as fitting a preparation for writing as Milton's practice of playing the

organ, and more pleasing than Dryden's prelude of a course of physic. He admired Pope, particularly his art of condensation. He thought that there would never be another such translation of the Iliad. Of his Letters he observed, that they were not good letters, but better things. Goldsmith he liked best among the later poets, and recognized his genius from the first. Warton and Collins deserved to last some years, but would not, he thought.

After residing at Peter-House for nearly a quarter of a century, Gray removed, in 1756, to Pembroke Hall. He mentions the change, in a letter to Dr. Wharton in March, 1756, as owing to the riotous disposition of some of the younger members of the College. The Cambridge tradition is as follows. The poet had inserted a spike under his lofty garret-window at Peter-House, and provided himself with a rope by which to descend in case of fire. Hearing the alarm at midnight, he descended, — not upon *terra firma*, but into a huge, well-filled wash-tub from the brewery, which had been rolled under his window by the kind exertions of his brother collegians. It is said that he soon discovered that it was water, and not fire. The spike still remains; but the poet departed. He describes his removal "as an era in a life so barren of events as his." In 1757 he was offered, and declined, the position of Poet-Laureate. He wrote to Mason: "The office has always humbled the possessor hitherto; — if he were a poor writer, by making him more conspicuous; and if he were a good one, by setting him at war with the little fry of his own profession; for there are poets little enough even to envy a poet-laureate." In 1762 he applied unsuccessfully for the vacant place of Regius Professor of Modern History at Cambridge. Six years later the place was given to him, without solicitation, by the Duke of Grafton. But the duties of the chair he never discharged. He was always promising, and always procrastinating. His only performance was an unpublished fragment of the plan for his inauguration speech, of which Mason thought highly. Few were so well fitted for the place as he, either by knowledge of detail or breadth of view; although he wrote — with too much modesty — to Walpole: "History in particular is not our *forte;* for (the truth is) we read only modern books

and pamphlets of the day." In 1769 he wrote his Ode for Music, which was performed at the installation of the Duke of Grafton as Chancellor of the University. His own opinion of this production was not high, and he thought the poem could not last above a single day. It is, however, as has been well remarked, "a very splendid creation raised on an apparently barren subject."

Gray's journey to Scotland, in 1765, and his various excursions in other years to Wales, and to the Lakes and other regions in England, added to his letters many delightful sketches, with racy remarks on life and manners. Even Johnson called the account of his tour in Scotland "curious and elegant"; and of his journey to Westmoreland and Cumberland, in 1769, he said: "He that reads his epistolary narration wishes, that to travel, and to tell his travels, had been more of his employment; but it is by studying at home that we must obtain the ability of travelling with intelligence and improvement." Walpole — a very good judge on a point of this kind — said: "His letters are the best I ever saw, and had more novelty and wit." And the caustic Carlyle, who has no patience with the poetry, cannot help saying a good word for the correspondence. In his Essay on Goethe, he remarks: "Were it not for his letters, which are full of warm, exuberant power, we might almost doubt whether Gray was a man of genius; nay, was a living man at all, and not rather some thousand times more cunningly devised poetical turning-loom, than that of Swift's philosophers in Laputa." Hazlitt, too, regarded the letters as "inimitably fine," and said that, even if the poems were at times pedantic, as he thought them, the prose was free from affectation. Southey called Cowper the best of English letter-writers; but Cowper himself gave the pre-eminence to Gray.

Gray breathed his last at Cambridge, on the 30th of July, 1771, in the fifty-fifth year of his age. He was never married, and survived all the members of his family. He was always delicate, and was the only one of twelve children who grew up. His father had died many years before; and in 1753 he lost his mother, whose name he seldom mentioned without a sigh, and to whom he felt that he was indebted for almost

everything. He was buried by his side in the churchyard at Stoke-Poges. In 1778 a monument was erected to him by Mason, in Westminster Abbey, bearing the following appropriate inscription: —

> "No more the Grecian Muse unrivalled reigns,
> To Britain let the nations homage pay;
> She felt a Homer's fire in Milton's strains,
> A Pindar's rapture in the lyre of Gray."

We cannot pass by — in spite of its familiarity — the comprehensive and generally judicious account of Gray prepared soon after his decease by his friend, the Rev. Mr. Temple. It is as follows: —

"Perhaps Mr. Gray was the most learned man in Europe; he was equally acquainted with the elegant and profound parts of science, and that not superficially, but thoroughly. He knew every branch of history both natural and civil; had read all the original historians of England, France, and Italy, and was a great antiquarian. Criticism, metaphysics, morals, politics, made a principal part of his study. Voyages and travels of all sorts were his favorite amusements; and he had a fine taste in painting, prints, architecture, and gardening. With such a fund of knowledge, his conversation must have been equally instructing and entertaining. But he was also a good man, a man of virtue and humanity. There is no character without some speck, some imperfection; and I think the greatest defect in his was an affectation in delicacy, or rather effeminacy, and a visible fastidiousness or contempt and disdain of his inferiors in science. He also had in some degree that weakness which disgusted Voltaire so much in Congreve. Though he seemed to value others chiefly according to the progress they had made in knowledge, yet he could not bear to be considered merely as a man of letters; and though without birth, or fortune, or station, his desire was to be looked upon as a private independent gentleman, who read for his amusement. Perhaps it may be said, What signifies so much knowledge, when it produced so little? Is it worth taking so much pains, to leave no memorials but a few poems? But let it be considered, that Mr. Gray was to others at least innocently employed; to himself, certainly beneficially. His time passed agreeably; he was every day making some new acquisition in science. His mind was enlarged, his heart softened, his virtue strengthened. The world and mankind were shown to him without a mask; and he was taught to consider everything as trifling, and unworthy the attention of a wise man, except the pursuit of knowledge, and practice of virtue, in that state wherein God has placed us."

Mason remarked, that, excepting pure mathematics and the studies dependent upon that science, there was hardly any part of human learning in which Gray had not acquired a competent skill; in most of them a consummate mastery. Making some slight allowance for friendly exaggeration, the statement is undoubtedly correct. In profound knowledge of history he was surpassed by no one of his contemporaries, Gibbon alone excepted; and the latter, though a scholar of marvellous versatility and thoroughness, was probably his inferior in all other branches of learning. The classical fragments in the edition of Mathias bear witness to both the accuracy and the comprehensiveness of his knowledge of the writers of antiquity, and he seems to have combined, in a very unusual degree, the minuteness of a verbal critic with the scope of an independent thinker. His knowledge of architecture — particularly of the British Gothic — was such, that he could at once pronounce on the precise period of the erection of any cathedral, and discriminate accurately the age of its various parts. For the sake of precision, he ventured to add several new terms to the technology of the art. In natural history, zoölogy and botany were his favorite branches, and were diligently prosecuted during the last ten years of his life. He *overset* Linnæus into good Latin, kept an interleaved copy always before him, in which he collected the views of the naturalists of all ages, wrote the most complete treatise on British Insects, patiently watched the growth of flowers, and speculated on the mystery of vegetation. Heraldry, genealogy, and antiquities were never dry to him. Many proofs of his careful research in these branches came to light on the sale of his library. His copy of Dugdale's Origines, in folio, now in the British Museum, is filled up in the margin with the arms and descriptions of all the families mentioned. In the words of Mitford: "To him, the genealogical researches of Dugdale were incomplete; the scientific language of Linnæus imperfect; and the History of the Chinese Dynasties, in fifteen quarto volumes, by Grosier, needed his verbal corrections, and supplemental improvements, before it was worthy of being enrolled in the archives of Pekin." Walpole testifies that his knowledge of the different schools of painting was exceedingly

accurate, and his taste refined. In music, he was a diligent student of the old Italian masters, and was wont to sing and play upon the harpsichord their reviving strains. He was not only thoroughly grounded in the knowledge of the French and Italian classics, but kept himself always *au courant* with the authors of his own time. He was, as might be supposed, completely versed in the whole course of English literature. He once thought of writing a History of English Poetry from the earliest times, and had already drawn up a general sketch of his plan, when, hearing that Warton was engaged on a similar work, he unfortunately abandoned the project. Even in the science of cookery he was an adept. His copy of Verrol's Book of Cookery, 8vo, 1759, came into Mitford's possession, and was found to be enriched with a very large number of manuscript notes and remarks, showing the most minute diligence and a familiar acquaintance with the principles of gastronomy. Everything was arranged in scientific order, classified under different heads, and carefully indexed to the respective pages. He was never a half-way man; he was not a superficial student in anything. His precept and his practice were to have recourse always to great original authors, to read with a method, and never to throw away time on inferior books. He well knew from experience, he said, how much could be done in this way. He thought that the great increase of dictionaries and encyclopædias was a bad symptom of the literature of the age, as tending to produce superficiality of research. On the whole, it may be said, that but few scholars have surpassed him in general erudition; and that, in the words of Mackintosh, "he deserves the comparatively trifling praise of having been the most learned poet since Milton."

Gray's habits of composition are well worth attention in these days of hurried, slip-shod writing. Walpole said that "he was a very slow, but very correct writer." Mason remarked that "Gray's conceptions, as well as his manner of disposing them, were so singularly exact, that he had seldom occasion to make many, except verbal emendations, after he had first committed his lines to paper. It was never his method to sketch his design in careless verse; he always fin-

ished as he proceeded: this, though it made his execution slow, made his compositions more perfect." In a letter to a young poet, he censured, as a great obstacle to poetic expression, the habit of "casting down first thoughts carelessly and at large, and then clipping them here and there at leisure. This method, after all possible pains, will leave behind it a laxity, a diffuseness. The frame of a thought (otherwise well invented, well turned, and well placed) is often weakened by it." He had no faith in genius without work. He rather believed, with Dante (De Vulgari Eloquio, Book II. Ch. IV.), that, even with the greatest gifts of nature, nothing ever "sine strenuitate ingenii et artis assiduitate scientiarumque habitu fieri potest. . . . . Et ideo confiteatur eorum stultitia, qui arte scientiaque immunes, de solo ingenio confidentes ad summa summe canenda prorumpunt, et a tanta presumptuositate desistant." So, too, our own great epic master: "Poetry is the art of expert judgment, and the final work of a head filled by long reading and observing, with elegant maxims and copious invention."

Socially, Gray was the best and the worst company in the world. Walpole says he was the latter. He disliked general society, and had, as he said, an inability for it, the versatility of his mind having been lost by his long life in the University. With people at all uncongenial, he must have been reserved and dull indeed. Yet with those he liked he was highly entertaining. Dr. Beattie said that his letters and conversation were similar; that he was easy, spontaneous, and communicative, with none of the airs of either a scholar or a poet. Walpole often asserted that "Gray never was a boy," — a phrase which very well indicates his formality and want of elasticity in every-day life, but most uncharacteristic of the sprightliness of his familiar intercourse. The fastidiousness of his manner, according to Mason, "was rather an affectation in delicacy and effeminacy, than the things themselves; and he chose to put on this appearance chiefly before persons whom he did not wish to please." Probably it was with him as with the younger Pitt, who was often blamed for a certain finicalness of manner which he at times assumed in self-defence, — as a barricade against bores. His sensitiveness,

too, unfitted him for coarse pleasantries and an easy footing with all. Even the casual remark of an intimate friend often led him to delay for years, or to abandon wholly, the pet productions of his brain. To criticism of any kind he was in no way partial. To Mason he said: "You know I do not love, much less pique myself on criticism; and think even a bad verse as good a thing or better than the best observation that ever was made upon it." Many of his sportive sallies show a quick eye for the ludicrous, a keen appreciation of character, and the most exquisite humor. Walpole said that "humor was his natural and original turn"; but this side of his nature was so little known to the multitude, that, as Mitford remarks, many of his best sayings have been accredited to Johnson, and enrolled among the Johnsoniana. One of his Latin *bon-mots*, among others, deserves a place with Swift's celebrated joke, "Mantua, væ miseræ nimium vicina Cremonæ!" and Curran's well-known squib, "Quid rides?" As we have never seen it correctly quoted, we will give it. The Rev. Dr. Plumptre was a clergyman known for his comfortable life and numerous "livings." Gray, in a letter to Mason, 1759, writes thus of this "good easy man": "Your friend Dr. Plumptre has lately sat for his picture to Wilson. The motto, in large letters (the measure of which he himself prescribed), is, 'Non magna loquimur, sed vivimus'; i. e. 'We don't say much, but we hold good livings.'" Being asked what sort of a man Dr. Hurd was, he said: "The last person who left off stiff-topped gloves." To those familiar with the personal and literary traits of the prim prelate, the remark gives his whole character in a nut-shell. Of a bore named Pigot, he said, "*Piget*, he Pigot's me." But enough of the Grayiana.

After the death of an acquaintance, Dr. Middleton, in 1750, Gray wrote to Wharton: "For my part, I find a friend so uncommon a thing, that I cannot help regretting even an old acquaintance, which is an indifferent likeness of it." His friends, true and constant, were his books. He could well have adopted what Cicero says of them in the Defence of Archias. They were his incessant companions; they rejoiced with him, solaced his sadder hours, and chimed in with every

mood. Yet learning was not to him a holiday pleasure simply: he made it the duty, the business, of life. In earnest work alone could he find peace for the unrest of his soul. The essence of his life he distilled for us into a few golden words. Whoever will lay them to heart may behold the Happy Valley. "To find one's self business is the great art of life." "To be employed is to be happy." "The secret of happiness is to be constantly employed."

ART. III.—1. *The History of Mauritius, or the Isle of France, and the neighboring Islands; from their first Discovery to the present Time; composed principally from the Papers and Memoirs of* BARON GRANT, *who resided twenty Years in the Island.* By his Son, CHARLES GRANT, Viscount de Vaux. Illustrated with Maps from the best Authorities. London. 1850. pp. 571.

2. *Creoles and Coolies; or, Five Years in Mauritius.* By the REV. PATRICK BEATON, M. A., Late Minister of St. Andrew's Church, and Secretary of the Bible Society, Mauritius. Second edition. London. 1859. pp. 296.

THE little island described in the books we have named has acquired an importance within the last ten years which leads us to attempt a brief sketch of its history and condition. Like Barbados and Trinidad, it has derived immense wealth from the cultivation of the sugar-cane, and with them it enjoys the pleasant consciousness of a surplus in its treasury. Its history contains much which interests us, as we can here see the practical working of emancipation, and we may perhaps learn to avoid the errors attendant upon all pioneer enterprises.

A glance at the map of the eastern hemisphere shows us the large island of Madagascar, immediately to the eastward of the Cape of Good Hope, and to the eastward of this, three small islands, named Mauritius, Bourbon, and Roderigues.

Mauritius is about ninety-five miles in circumference, — thirty-three in length, and twenty in breadth, — a mere speck in the vast Indian Ocean. Situated immediately in the line of vessels bound to India, it was a necessary consequence of Vasco de Gama's voyage to India in 1497–9, that in 1505 Ruy Pereira discovered Madagascar, and Pedro Mascareguas discovered Mauritius and Bourbon, giving to the former the name of Cerné. Too unimportant to be colonized, these islands were not further observed until 1598, when the Dutch Admiral Van Neek landed there and named Mauritius in compliment to Maurice of Orange. There is no reason to suppose that any attempts at a settlement were made until 1644, and the colony then planted lingered until 1712, when the Dutch concentrated their scattered outposts at the Cape of Good Hope.

In 1715 M. du Fresne landed at Port Louis, and named the island Isle de France; and, Bourbon already possessing a number of French settlers, its sister island soon became one of the goals of French emigration. In 1734 M. de la Bourdonnais was named Governor-General of both islands, and his energy inspired the enterprise with new vigor.

This man, whose life has been sketched by Baron Grant, was one of those adventurers who were called from obscurity by the opening of the East to European commerce. Born at St. Malo in 1699, he rose rapidly in the naval service of France, acquired a large property by privateering, enlisted in the Portuguese navy, and received letters-patent of nobility, all ere he was thirty-five years old. In 1734 he obtained his appointment as Governor from the French East India Company, and in 1735 he arrived at Mauritius with authority to create a colony. On the one side he was instructed to look for no aid from the French company, and was even expected to obtain a reimbursement of past advances; on the other, he was to persuade the lazy and inefficient colonists to submit to necessary restraint and to unaccustomed labor. The island, which had before been merely a resort for vessels in quest of fresh provisions and water, was now to produce food for a large population, and to furnish valuable exports for foreign consumption. The inhabitants — many of them pirates and felons — were to be compelled to observe the laws, and to

exchange a life of buccaneering, hunting, and fishing for the severe toil of planters in a fresh country. His authority was in some points subordinate to that of the local council; and his enemies, comprising all of the officers of the Company with whom he came in contact, were able to undermine his popularity with his employers and the public.

It is indeed surprising to find that, under all these difficulties, and while exposed to the effects of the most enervating climate in the world, in five years he had constructed forts, roads, hospitals, mills, aqueducts, ship-yards, and dock-yards, and had introduced the culture of sugar, cotton, indigo, and manioc. He constructed several vessels, and, when war was declared between England and France in 1744, he had prepared a formidable force to assist his countrymen in their struggle for the possession of India. With a fleet of about ten vessels, he sailed for the Coromandel coast, and on the 6th of July, 1746, he encountered and defeated the English fleet. Arriving at Pondicherry, he desired to combine with Dupleix in an attack on Madras; but being obliged to proceed without reinforcements, he attacked the place alone, and it capitulated in September. He became involved in ruinous disputes with the commanders of the troops, and returned to Mauritius. In 1747 he was appointed to command a squadron bound to France, and, as he was closely pursued by the English, he put into Martinique, whence he sailed in a Dutch vessel for Flushing. Landing in England, he was seized as a prisoner of war, was released on parole, and reached Paris in February, 1748, only to be sent to the Bastile within ten days. Commissioners were named to examine the charges against him; but after languishing in prison twenty-six months, he died unheard.

Unfortunate as his career proved, his labors at Mauritius were not in vain. During his absence, M. David, previously Governor of Senegal, had been appointed to the command, and he promptly quelled the outbreaks of the slaves and the white desperadoes. At the same time, also, five vessels arrived from Nantes, harbingers of commerce, and prosperity seemed to have been secured. It was, however, unfortunately the case, as the Abbé Raynal shows, that this island had not obtained the degree of prosperity which might have been

expected, since "more speculation than industry was bestowed upon it, and the owners lost their time in conjectures concerning the use to which it might be put." The government, until 1769, was in the hands of the French East India Company, a vast monopoly, whose history we shall not strive to recover. In brief, it was one of Law's schemes, and was formed by the consolidation of several other companies. It was at once an arena of court intrigues, a great trading company, and a military power; — in all respects a counterpart of the English company. The islands of Mauritius and Bourbon were but portions of its immense possessions, and they were alternately pampered and neglected, as best suited the plans of the Directors. "Under such a government," says Raynal, "no improvements could be expected. Cotton, indigo, sugar, arnotto, pepper, tea, cocoa, everything was tried, but so carelessly that no advantage was derived from them. The essential cultures were neglected in pursuing chimerical projects. Though in the year 1765 there were in the colony 1,469 white people, besides the troops, 587 Indians or free negroes, and 11,881 slaves, their productions did not amount to more than 320,650 lbs. of wheat, 47,430 lbs. of rice, 1,570,040 lbs. of maize, 142,700 lbs. of kidney beans, and 135,500 lbs. of oats." Two years before this, as we learn from the same authority, Bourbon contained 4,627 white inhabitants, and 15,149 blacks, while four or five pounds of cereals *per capita* and 2,535,100 lbs. of coffee were produced.

For the next fifty years the colonial records contain little to interest the reader. The government passed into the hands of the crown, and enlightened governors like Poivro and Malartic strove to introduce the culture of spices and to establish necessary reforms. Notwithstanding that the Revolution swept these remote colonists into its mad vortex, there was a conservative influence, or rather there was too palpable an equality among the members of the ruling class, to afford a pretext for the horrible excesses of the French democracy. In 1810 the island was surrendered to the English, who had the previous year captured Bourbon, and from this event we may date the entrance of Mauritius into the history of Europe.

While Mauritius was a French colony it presented a phase

of the institution of slavery rarely seen elsewhere. Situated in a healthy latitude, it attracted a certain number of white inbabitants, whom its propinquity to Madagascar and the eastern coast of Africa enabled to obtain slave labor at a trifling cost. Hence we are allowed to see what has taken place in a slaveholding community where the chattel is of small pecuniary value. We will cite the following testimony of St. Pierre, the author of "Paul and Virginia," as given by Baron Grant: —

"At present (1768), Madagascar furnishes the negroes which are destined to cultivate the land in the Island of Bourbon. The common price of one of them is a barrel of gunpowder, a few muskets, some pieces of cloth, and, above all, a certain proportion of piasters. The dearest of them costs about fifty crowns of France.

"These people have neither so flat a nose, nor so dark a complexion, as those of Guinea; some of them are only brown; whilst others, as the Balambous, have long hair: *nay, others of them have fair and even red hair.* They are dexterous, intelligent, and have a sense of honor and gratitude. The greatest insult that can be offered to one of these people is to speak disrespectfully of his family; they are far less sensible to personal injuries. In their own country, they work up various articles with equal ingenuity and industry. . . . . They are very hospitable. A black who is on a journey enters without previous ceremony, or being known to the owner, into any hut which suits his convenience, and those whom he finds in it most willingly share their meal with him. Nor is it their custom to ask from whence he comes nor whither he is going.

"The negroes are naturally of a lively disposition, but their state of slavery soon renders them melancholy. Love alone seems to allay their pain; they exert themselves to the utmost in order to obtain a wife; and, if they can choose for themselves, they always prefer those who are advanced into a state of womanhood, who, they say, make the best soup. They immediately give them all they possess; and if their wives live in another plantation, they will undertake the most difficult and dangerous journeys to see them. On such occasions they fear neither fatigue nor punishment."

Here let us pause for a moment to consider the picture presented by a man who says a few sentences further on: —

"It is not for us to discuss, in this place, the subject of slavery, on

which very able writers have differed and about which volumes have been filled. That discipline, and sometimes a severe one, may be necessary in the management of plantations, cannot be denied, and that the owners sometimes exercise their power with unnecessary rigor, must also be acknowledged; at the same time, it would be ridiculous to assert, that, because a white man is the master of a plantation, he must be cruel, and, because a black man is a slave, he must be wretched."

Here is no abstract philanthropy; but does not every word above cited show — since the fact that these slaves were of the same blood as many of their owners, (as we are informed by Admiral Kempenfelt and others,) were intelligent, industrious, capable of feeling acutely their miserable lot, in fact, undeniably men and women, did not exempt them from the most cruel treatment — that their condition would not have been bettered if their masters had held them to be mere brutes, incapable of any one of these acknowledged traits of character? Their hospitable welcome to their new home is next to be described: —

"They are all disembarked with no clothing of any kind, but a strip of linen round their loins. The men are placed on one side of the beach, and the women with their children on the other. The planters then examine them, and make their purchases accordingly. Brothers, sisters, friends, and lovers are now separated, and are led away to the respective plantations to which they are destined. Sometimes, in the paroxysms of their despair, they imagine that the white people are preparing to eat them, that they make red wine of their blood, and gunpowder of their bones.

"Their manner of life is as follows: at daybreak, the smacking of a whip is the signal that calls them to their work; and they then proceed to the plantation, where they labor in a state of almost entire nakedness, and in the heat of the sun. Their nourishment is ground maize boiled in water, or loaves of the manioc; and a small piece of cloth is their only covering. For the least act of negligence, they are tied hand and foot to a ladder, when the overseer gives them a certain number of strokes on their back, with a long whip; and with a three-pointed collar clasped round their necks, they are brought back to their work. It is not necessary to describe the severity with which, notwithstanding these punishments, they are compelled to pray to God for the prosperity of their masters."

A pleasing commentary on this last piece of hypocrisy is found in the following sentence: —

"Religion is, indeed, sometimes employed to alleviate the evils of their situation. Some of them are occasionally baptized: they are then told they are become the brethren of the white people, and that they will go into paradise; but it is not easy to persuade them that the Europeans will ever prove their guides to heaven."

We do not intend to nauseate our readers with the details of the misery endured by these slaves; but let us cite from Mr. Beaton two articles of the "Code Noir," which was drawn up for their protection: —

"Art. 32. The fugitive slave absent for a month, counting from the day when his master has denounced him to justice, shall have his ears cut, and be marked with a *fleur de lis* on one of his shoulders; and if he commit the same offence during another month, counting in the same way from the day of denunciation, he shall be hamstrung and marked with a *fleur de lis* on his other shoulder; and the third time, he shall be punished with death."

"Art. 38. All our subjects of the said countries, of whatever quality and condition they may be, are hereby prohibited from torturing their slaves by their own private authority, or from causing them to be tortured under any pretext whatever, or from mutilating any of their members, or causing them to be mutilated, — under the penalty of having the slaves confiscated, and being proceeded against by special process; be it lawful for them only, when they believe that their slaves have merited it, to put them in chains, and to beat them with rods or ropes."

Unrestrained by a sincere trust in the mercy thus insured to them by these edicts of his Most Christian Majesty, these slaves were always endeavoring to escape.

As Baron Grant writes so pleasantly, let us quote one of his letters: —

"We have here a species of hunting, which, as we are on that subject, I shall not omit to mention; it is indeed of a cruel kind in appearance, but absolutely necessary in point of policy. It consists in pursuing the Maroon negroes, or deserters, in the woods and the mountains, where they are treated as wild beasts; they are shot whenever an opportunity offers, and this severity is absolutely necessary for our preservation. It is true, that in general they content themselves with

pillaging what they want for their support; but they will sometimes accompany their plunder with fire and sword. . . . . .

"Our slaves, and particularly those which come from Madagascar, are insolent and idle, and consequently of little reliance. They have been more accustomed to war than to labor; and the hope of finding some means of returning to their country employs all their thoughts.

"Though it is necessary, in order to catch the wind, to make a large circuit in coming from Madagascar to the Isle of France, they seem to have an instinctive knowledge that the distance of their country is not in proportion to the length of the voyage; they will direct their hand to the point where it lies, and exclaim, in their corrupted French, '*Ça blanc là li beaucoup malin; li couri beaucoup dans la mer là haut; mais Madagascar li là.*' . . . . . They escape into the forest and mountains of the Isle of France; and whenever they find a canoe or other small boat along the coast, they endeavor to get possession of it, and discover, not only uncommon courage, but address and agility in getting to sea. Sometimes they contrive to make a large pirogue or canoe of a single tree, some of which are very large in this island, and in one of these they will attempt the passage of a hundred leagues. It also happens that, when they are found to be too numerous for the canoe to contain them with safety, they will alternately embark and swim through the voyage. Though many of these adventurers are lost, some of them have been known to reach their native island."

A few figures from Mr. Benton, and we will quit this portion of our work. "Of every eighteen slaves in the colony one died annually; from first to last, Mauritius has been the tomb of more than one million of Africans." In 1766 there were about 25,000 slaves in the colony; in 1799, 35,000; in 1832, when emancipation was projected, 63,536.

The period of the colonial history of Mauritius is instructive, as it indicates that slave labor, even where it costs the least, is not productive of rapid prosperity. At that time the wealth of the island consisted largely in the crops it produced, and yet agriculture was neglected. The trees which covered it were recklessly destroyed; the fields were imperfectly cultivated, and their yield at times hardly sufficed to keep the inhabitants from absolute starvation. The slaves led a brief and deplorable life; while their masters squandered whatever they could wring from their labor in attempting to imitate the luxury of Paris.

We have already seen that the English captured the two islands of Mauritius and Bourbon in 1809 and 1810. In 1813 they abolished the slave-trade, and in 1815 they commenced to register the slaves on the island. The grossest frauds, however, were perpetrated by the owners, and slaves were freely imported *via* the Seychelles. Of the sum of £2,112,632 paid to the slaveholders as compensation for 66,343 slaves, it is commonly believed that one fourth was for slaves thus fraudulently imported. The owners were all sympathizers with France, and they and their descendants to this day have steadily opposed the English rule. From February, 1835, when slavery was abolished, till February, 1839, when the system of apprenticeship ended, the chief discussions of the colonists were in regard to a fresh supply of laborers. Efforts were made to obtain coolies from India, and at the same time renewed attention was given to the cultivation of sugar. These years of change presented a most singular state of affairs. The owners of estates, on receiving their indemnities from the English government, were for the first time in the enjoyment of a large amount of ready money. Old inhabitants describe the next two or three years succeeding emancipation as a carnival. The negroes, no longer enslaved, refused to work; the rebound from compulsory labor was an unlimited indulgence in the hitherto unknown pleasure of idleness. The planters vied with one another in expensive luxuries, — balls, dinners, elegant equipages, and reckless indulgence were the order of the day. At the end of the time, they awoke to the certainty that the colony was on the verge of ruin. Nothing would have saved it, probably, from extinction, but the infusion of new blood. England had already sent out a number of her keen and wary merchants, who had supplied the planters with the desired luxuries at immense profits, and they had obtained the control of the plantations. These men felt that the colony might be retrieved, but only by employing unusual measures. Labor was the one requisite, and this was supplied by India. In 1842, there were imported 18,105 males and 888 females; in 1843, 44,454 males, 5,049 females, and in like proportion for several years. In 1861 there were remaining 158,922 male, and 65,928 female Indians, or 224,850 Indians to 83,475 of all

other races, black, white, and mixed. This immense immigration represents also a constant stream of emigration on the part of the Hindoos. When the term of their service has expired, many of them return home, and often make one or more trips to the island. We may not unfairly assume, that about as many voluntary emigrants from India have visited the island since 1840 as involuntary slaves from Madagascar previously. Yet how surprising has been the difference in the results of these two forms of labor! The Hindoo is far less capable of bodily labor than the Malgash. His intellectual capacity may abstractly be greater; but we doubt if he is more apt in learning the ordinary plantation work. So far as he has any religious ideas, they are prejudicial to the interest of his employer. The utter ignorance of the native of Madagascar is far more susceptible of improvement.

The following table will show the progress made in twenty years by the planters of the new *régime* : —

In 1843 they exported	55,125,758	lbs.	sugar,	worth	£ 796,918,	their imports were	£ 902,578
1853 "	"	184,024,447	"	"	"	1,540,505,	"	"	"	1,092,141
1859 "	"	247,948,302	"	"	"	2,814,945,	"	"	"	2,025,890
1860 "	"	261,256.452	"	"	"	2,810,992,	"	"	"	2,304,668
1861 "	"	221,160,274	"	"	"	2,284,996,	"	"	"	2,249,124

It thus appears, that, though largely favored by accident, the main source of the prosperity of the island has been the employment of free labor, though of an inferior type.

But we must now return to the condition of the freedmen of the colony; and here our honest opinion, formed from personal observation, may prove as unpalatable to some as our picture of the slaves may be to others. These people are lazy, immoral, dishonest, and insolent. They are cowardly and treacherous, jealous of the whites, and yet their servile imitators. Content with little, they labor only to obtain a bare support. They seem to possess neither sense of shame at their present degradation nor ambition to obtain the equality nominally offered to them. Yet though these facts are indisputable, not only is it undeniable that they are in a much better condition than they would be as slaves, but it is highly probable that the present state of affairs is due to the injudicious manner in which they have been treated. England, the nation which has evinced the most unscrupulous rapacity in extending her conquests,

has also proved the most unskilful in forming colonies. Every step of her aggressions has been based on fraud and injustice; every attempt also to make these acquisitions useful has been marked by folly and incapacity. Having secured the keys to the commerce with India by capturing Mauritius and Bourbon, she restored the latter to France, and has permitted the former to remain thoroughly French in sentiment and affection. The language employed by nineteen out of twenty of her Mauritian subjects is French; the coolies, when they arrive, learn only a spurious French, known as "Creole." The newspapers are all published in French, save one, which prints a single page in English. The scholars in the Royal College use French text-books, and the social lines are so closely drawn, that the natives of England and France rarely intermix. The weights and many of the coins are French; the laws are a modification of the Code Napoleon, and in certain ordinary business transactions no English notary can be employed. When it was announced, a year ago, that the French Emperor was about to assume the protectorate of Madagascar, the journals at Port Louis openly expressed their delight at such a prospect of the extension of his influence.

Now, in the same manner that England has committed the unpardonable folly of giving back to France a naval station which enables her to maintain an important influence in the East, she has blundered in her attempt to realize the dreams of her abolitionists. After the brief probation of four years, sixty thousand slaves were turned adrift upon their own resources. In many cases the mere brute impulse prevailed, and idleness was the sole pleasure they required. In many others unquestionably a feeling prevailed which is shown in the following anecdote. "You ask me," said a negro, "why I will not work in that field. I will tell you. In that field my father worked as a slave, and was lashed as a slave; and do you think I would work upon a spot that I cannot think of without pain?" The island was too small to admit of any alleviation of such feelings. Where a slave had worked under the lash at another's command, he might well refuse to continue to work at his former owner's request.

Lastly, when a whole community has been profoundly

affected by an occurrence, and especially by one so far reaching as this, a certain time must be conceded for reconstruction. But we have seen, that, at the time when the freed blacks might have returned to voluntary labor, their place was occupied by a supply of alien laborers. To these latter there was not the same antipathy of color and race, and from their natural docility of character they were more available to the planter. Coolies were hired and employed by the operation of the same causes that rapidly brought machinery into general use; but their employers, ignorant of their language and customs, concerned themselves only with results. Towards them there was felt none of the antipathy which is produced by a constrained equality, and there were none of those offspring of guilt which in too many slave countries connect the extremes of white and black in a bond of blood relationship.

The friend of the negro may urge that the faults of the freed blacks are aggravated, and perhaps caused, by their isolated position. For our part, not believing that abstract argument or the citation of a few cases will ever settle the question of the intellectual ability of any negro tribe, we will proceed to urge what may be said in extenuation of the course adopted by the white population of Mauritius. Probably not five per cent of its population of 83,475, exclusive of the Indians, is of purely white blood. A few families of French descent have remained uncontaminated; a few more English or German families have established themselves permanently on the island; a certain proportion of merchants and officials remain long enough to be fairly considered as citizens. Perhaps forty-five per cent is purely black, and the remaining half is composed of all possible shades of mixed blood. Here, as elsewhere, the tendency of the mulatto is to exaggerate the ratio of white blood, and every portion of the class despises and hates the unadulterated black. It is natural that the whites should avoid a recognition of the social equality of the blacks; it is inevitable that this feeling should be intensified in those who try to believe that the taint is too slight to be perceived in themselves. But the whites have also good reasons to oppose these latter also. Under the

French rule these colored people were oppressed by severe laws, and the hottest feelings of jealousy existed between those who were the legal representatives of a family, and those born without the pale of the law. Parental affection not only led to manumission, but often to the enrichment of illicit children to the detriment of the rightful heirs. Many men were probably led to shun the restraints of marriage, and though of late years the bonds of social morality have been tightened, such a life of pleasure possessed fatal attractions. It is unquestionable that more than three fourths of the immovable property in the colony has been transferred from the white to the colored population; and the latter, possessed of wealth, and even of refinement, daily chafe against the unsurmountable barrier which keeps them distinct. Here, then, we have French against English, white against mulatto, masters opposed to freedmen, and all penned within the limits of a little island. What ground has the black man to hope for improvement from those of mixed race, superior to him in rank and wealth, when he is to them the detestable memento of their shame, the ineffaceable mark of their origin? How can he hope for aid from those whose wealth is valued only as a means of eclipsing the scornful white man in luxury and ostentation? How can he expect much sympathy, on the other hand, from those who see in the blacks the cause of the degradation of their predecessors, and who fear in a continued association only a prolongation of the evil?

Some enthusiasts propose, as a specific for this unhealthy state of affairs, the enforced social equality of all. They would have white, black, and colored indiscriminately mixed, and alike aspirants for place and position. This, however, can never be; no white man save an Englishman would submit to such a degradation; and no white woman would consent to live in a society thus constituted.

Leaving these questions, however, is it not evident that the true course would have been, not to attempt to force a nominal equality, but to regulate a wise distinction? Had the blacks been treated as a class requiring aid and instruction to enable them to rise to a better position, with certain fixed rights, as that of suffrage, dependent on their exertions and held before

them as a stimulant, how much better would have been their position to-day! Had the colored people been regarded in their true light, as a class which it was not desirable to encourage and enlarge, but as one unfortunately existent, and had they been recognized as approaching nearer to the standard of the whites, though never to be placed on a social equality, they would have resigned themselves to their condition, have expended their wealth in attempting to educate and refine themselves, and would eventually have become the ruling class, and deservedly so.

There is no sound reason why any large proportion of the population of a tropical country should be white. The climate and the conditions of life are suited to those other races which have been found settled there from remote ages. The requirements of the age demand, indeed, that a certain amount of energy shall be infused into them, to urge them to produce their quota for the wants of the world; but this energy is not obtained by the permanent colonization of such localities by Europeans, — it is the birthright of the citizens of colder climes, and expires with them. The purely white Creoles of Mauritius are bodily and mentally inferior to their cousins in England or France; how great the inferiority is almost incredible.

We have said that Mauritius may prove a warning to our nation, since it shows that philanthropy should be patient and persevering. To witness the immorality of so great a proportion of its population; the laxity of justice; the imbecility of local authorities; the discontent and wretchedness of so many who have nearly all the requisites of happiness, — is to open our eyes to the evils which may easily flow from our mistake. Prosperous as the island has been, its prosperity is built on a very treacherous foundation. Wealth accumulates for a few years only to be wasted on foolish trifles. Three hundred thousand people are saved from starvation in time of peace only by the mercy of the elements, and in time of war only by the naval supremacy of England. There has been no attempt to secure a reserve fund for a season of disaster, no attempt to bring the great mass of the inhabitants to a condition where an appeal to reason could be understood. Whenever a

panic seizes the people, reason and humanity are both forgotten. Thus far this has happened only in regard to the appearance of the cholera, and Mr. Beaton's pages bear full evidence of the unreasoning fear which has then pervaded the community. Let a famine ever occur, and there is reason to expect a similar outbreak.

We read two morals in the history of Mauritius: the one is, that the happiness of the slave is directly dependent upon his money value; the other, that the abolition of slavery is but a stage from which we may as easily pursue a baneful as a salutary course.

All political subjects dismissed, we gladly turn to the more pleasing features of our subject. The traveller, as he approaches the island, is first struck by the peaks which rise above the horizon. The purple haze which always surrounds their bases gives them the appearance of unreality; especially if he be fortunate enough to see them first as they fade amid the splendors of a tropical sunset. At all times, however, their fantastic forms arouse the imagination, and make him desirous of a nearer view. As he approaches, the chains separate; here and there patches of a brighter green, or listless curls of smoke slowly rising, betray the presence of cultivation. Winding down the hillsides are the many little streams which reveal their course by the lines of trees thus strengthened against the fervid sun. A few white houses scattered along the shore, the spray dashed from the waves as they roll over the banks of coral, sails skimming along the line of the reef, and the luxurious mildness of the atmosphere, give a picturesque enchantment to the scene. As he approaches Port Louis, in front of his course the "Pouce" extends a friendly warning, and the quaint form of the "Peter Botte," so familiar to his recollections, causes him almost to expect all the other marvels of his childhood to appear bodily. Arrived at the Bell Buoy, he sees Robinson Crusoe in the form of a pilot, while a crew of Fridays show their teeth in delight, as they solicit the favor of his patronage. If the traveller be duly stoical or practised, he waits for the ship's boat to carry him ashore; otherwise he abandons himself to the tender mercies of the Malays, and threads the passage to the quay. The city

of Port Louis seems to stand on a plateau formed by the upheaval of the bottom of the bay, and its harbor reaches in from the sea like a pocket. The coral reefs grow almost to the surface of the water, and shelter the harbor from the waves. Once inside their lines, he moves through long rows of vessels moored two and three abreast on each side, and as the depth of water diminishes regularly, he passes from ships to brigs, and thence to *chausse-marées* and boats, till he touches at the quay.

The quay, which is substantially a spur of land, is one of the most important points. Here the immense crops of sugar are all shipped, and the supplies for the island landed. A gate, well guarded, nominally excludes the outside world, and here custom-house officials lie in wait for their prey. Woe betide the unfortunate Chinaman, who, tempted by the love of lucre, essays to pass with the forbidden opium wherewith Celestials and Hindoos may indulge in furtive joy. From recondite hiding-places the hateful drug is torn; innocent bags of rice yield up their trust, tins of lard reveal wheel within wheel, in the form of balls of opium; dropsical Chinamen, restored to sudden health, rush wildly past the gate, while the guardian joyfully picks up the precious package which will so well repay his vigilance.

In case our traveller is innocent of designs upon her Majesty's revenue, the examination of his trunks is a mere empty form, and he passes the gate to find himself with all the world of Port Louis before him. If he be a stranger, his troubles then commence. Crowds of coolies and negroes surround him, and shout out phrases in an unknown tongue, wildly gesticulating. Carriages, apparently the refuse of all the livery stables of the world, are proffered him, and spectral *carrioles* — *alias* milk-carts on two wheels — loom up in the background. He hears one or two French words, and, misled by the sound, he remembers his early studies at the academy at "Stratford atte ye Bowe," and essays to explain his wants. His choicest phrases are wasted, a muttered "Me ne pas connais Anglais" is vouchsafed, and the crowd of drivers abandon him. Some driver, boasting the shabbiest equipage of the lot, opens his carriage door and cries beseechingly, "Capitaine!"

A friendly policeman intervenes, and, tired and dusty, the traveller reaches one of the four hotels open to his choice. Here he will have the pleasure of paying extravagant prices for poor rooms and a wretched *table d'hote;* but when he reflects that nothing but the milk and sugar is of native production, he will doubtless be reconciled to the exactions of his landlord.

A stroll about the city will soon disabuse the observer of any fear that the Creole, white or black, labors too hard. The coolies at the quay, clad generally in a couple of old gunny-bags, work incessantly in the hot sun, loading or discharging the lighters of sugar and rice. Merchants, captains, and clerks rush around the business part of the town, protected by sola hats and white umbrellas; but every face has the marked expression of life and vigor peculiar to a European. Enter the shops, however, and the Creole is visible in his unapproachable laziness. Sallow, thin, languid, stupid, and indifferent to your wants, the shopkeeper removes not the cigar from his lips, and briefly replies to your inquiries, that he has no such article as you want. Point it out to him, and he lets you help yourself, charges you an immense profit, and relapses into indifference. The stranger quickly finds that there is no amusement or information to be gained by "shopping," and his own eyes and nose are probably the only truth-telling witnesses he will find in the city.

Port Louis, being enclosed by a semicircle of hills, and intersected by several ravines, possesses every natural advantage for a thorough drainage. Not only do frequent showers purify the place, but there are three aqueducts supplying any requisite amount of water. Yet there is not a single drain in the city, and wherever it is possible to make the street perfectly level, so as to fill the open gutters with stagnant water, the chance is improved. The result of such negligence, since the great importation of coolies commenced, has been to render the island subject to a visit of the cholera every third year. The streets are not very inviting in appearance, as every house is surrounded by a high stone wall, invariably surmounted by a row of broken bottles, to serve as a protection from burglars. The older houses, dating from the French settlement, stood in

large court-yards, often ornamented with trees and flowers. The value of real estate, however, has led to the sale of all the front portion of such lots, and the erection of little houses on the line of the street. By a walk of about a mile from the quay, the Champ de Mars is reached, being the upper end of the table-land from which the mountains spring. Here a race-course is laid out, and here, two or three times a week, the *élite* of the city meet of an afternoon to listen to the regimental bands. The scene is often charming, at least a portion of it. Imposing turn-outs dash around the course ; ladies, in the latest Parisian costumes, display the most symmetrical figures and the brightest eyes imaginable, to full advantage ; cavaliers, on showy Australian or Cape horses, mingle in the throng, and children, on sturdy ponies from Timor or Lombok, imitate the daring of their seniors. A closer inspection, however, reveals the secret of the distance preserved by such as may be recognized as English officers or officials. Either too dark or too white are nearly all of these attractive beauties ; the taint of African blood is ineffaceably marked on all. The male portion of the assembly is under the same ban, and the stranger is soon made aware of the facts which we have stated, that the half-castes possess wealth, beauty, and refinement, but that between them and the whites there is an impassable gulf.

With the afternoon stroll or ride, the last chance for amusement fails. As the city owns the theatre, an ample subsidy occasionally attracts thither a feeble attempt at an operatic or theatrical corps ; but these spasmodic efforts generally result in a complete failure. As for a promenade, the dark, high walls give one a feeling of suffocation, and as little excitement as a stroll in a country-churchyard, unless some enterprising garotter makes an essay of his skill at your expense. There is absolutely nothing to be done in the evening except to admire the brilliancy of the stars, or to watch the motley crowd of Creoles at the billiard-tables.

When one is well introduced, he may effect an entrance within the circle of the French society ; or if he be superior to sneers, he may easily form acquaintances among the Creoles of color. He will find but little to repay his trouble. The interest of the company is reserved for discussions on local

trifles, or the never stale topic of apparel. Trustworthy witnesses express their amazement at the apparent poverty of information on every subject evinced by the Creoles. Scandal, dress, betting, and whist are more in favor even than dancing or flirtation. To live in Mauritius is the highest aspiration of all native-born inhabitants. In their eyes the island is unequalled, and no length of absence can estrange them. Their laudable attachment, however, unfortunately blinds them to any defects; and, without some violent intrusion upon them, they would remain forever contentedly isolated. The commercial importance of the island is now attracting many Europeans thither, and for the last five years they have been blessed with a Governor whose best energies have been given to stimulating them to mental exertion. There is hope, that, when a wise prudence has restrained the liberty too lavishly bestowed upon them formerly, the inhabitants will take a rank among the citizens of the world worthy of their descent.

The planters are generally more robust and healthy, physically and intellectually, than the residents of Port Louis. They live much in the open air; they ride, shoot, indulge in all manly sports; they are, however, as timid in all seasons of danger, and as devoted to French interests, as the inhabitants of the city. Many of them employ from five to twelve hundred coolies, have costly machinery to produce their sugar, and live on their estates as little potentates. The traveller almost invariably receives a courteous welcome, the only return requisite being that he shall make himself entertaining.

One last word as to the negro, and our task is ended. Should the importation of coolies be suspended, or should the sugar crop either fail or fall in value below the cost of production, the only hope of the island is in them. They are attached to the soil. The coolies might be easily restored to their native villages; but the negro will cling to his birthplace. Once relieved from the competition of Asiatics, and allowed to own and cultivate small patches of land, these freedmen might bring much more of the island under cultivation; but at present the interest of the rulers is decidedly against such a course. Until they shall have had this oppor-

tunity, it is hardly fair to consider them as irreclaimable, or to compare them with others of the same race, placed in a position surrounded by no such difficulties.

The book written by Mr. Beaton is one which would amply repay reprinting here. We would advise all our readers who may have access to it, to examine it as a clear and quite impartial account of a very curious country. His opinions are expressed with the candor to be expected from a clergyman, and with an absence of fanaticism rarely to be found in an English tourist. Had our space permitted, we should have been glad to give copious extracts.

ART. IV. — *Lectures on Moral Science. Delivered before the Lowell Institute, Boston.* By MARK HOPKINS, D. D., LL. D., President of Williams College; Author of "Lectures on the Evidences of Christianity," etc. Boston: Gould and Lincoln. 1862. 12mo. pp. 304.

THE announcement of a new work on Moral Science is quite likely, we imagine, to excite, in the minds of some who may chance to see it, a feeling bordering on impatience. It will probably be concluded at once by such persons, that some one who has a special attachment to his own methods of exhibiting the received doctrines of ethics, or who has fancied himself, as to some details by no means essential, wiser than those who have written before him, has produced another work rather for his own gratification than to meet any existing want. It has become so common a thing of late for each teacher to think it necessary to make his own text-book, that the reading public generally, and especially the patrons of colleges and schools, grow weary of perpetual change and jealous of new attempts. It is not strange that, in relation to a work like that before us, some unfavorable impression should exist in the minds of such as have little or no knowledge of the subject.

But more than this. It would be by no means surprising, if even some who have been students of ethical philosophy, and are reputably well acquainted with the course of ethical discussion, should find the doubt arising in their minds whether another volume on the already hackneyed theme can fairly claim attention. Have not the profoundest minds, from Aristotle downward, exhausted their acuteness in the propounding and illustration of the principles, and the analysis, comparison, and demonstration of the essential truths, of morals? Have they not penetrated into the mysteries of psychology and of intellectual philosophy and logic, and traced the relations of these departments severally to moral philosophy? Have not Aquinas and his fellow-schoolmen, Grotius, Hobbes, Leibnitz, Shaftesbury, Butler, Edwards, Hume, Hartley, Condillac, Paley, and the rest, again and again dug over the whole field? Have not men of the latest schools in Germany, France, England, and the United States gathered up, adjusted, and arranged in convenient manuals the results of these various labors? What need, then, can there be of another digest of received opinions?

If it were true that the strong minds that have heretofore grappled with the difficulties of moral science had been altogether successful in their inquiries, — if they had reached conclusions that were entirely satisfactory, and had wrought out a complete and coherent system of ethics, so that no room remained for any further advance, — then certainly one might well be content with either of several recent treatises which we could name as works of marked ability. The fact, however, is quite otherwise. Notwithstanding the vast importance of questions pertaining to morals, because of their immediate bearing on human character and happiness, it is true beyond denial, both that the progress of ethical philosophy has been extremely slow, and that the systems successively constructed have not been such as to satisfy inquiry. With how much of laborious speculation, and by what gradual advances, the nature and the elementary laws of moral action have been philosophically determined, Sir James Mackintosh has clearly shown in his elaborate and elegant Dissertation; while in regard to many even of the fundamental principles of theoretical

morality the disputants have seemed to wage interminable controversies, — to debate like Milton's angels,

"And find no end, in wandering mazes lost."

The great modern movement in speculative philosophy, — inaugurated in Scotland by Reid, and producing there, as its best fruit, the vigorous, learned, and to a great extent original discussions of Sir William Hamilton, — contemporaneously revealing itself in Germany by Kant, and culminating at length in Hegel and his disciples, — including also the eclecticism of Victor Cousin, and the modified and fragmentary transcendental system of Coleridge, — has affected the intimately related department of moral philosophy so far, at least, as to create a necessity for the re-examination of its old positions. The result, on the whole, has been manifestly favorable. Since the time of Mackintosh, even, there has been a very considerable advance as regards some of the details of moral science. On one point after another, light has been thrown, sometimes by direct and sometimes by collateral inquiry. But yet, as to the relation of the several parts of the science to one another, and the principle on which the whole should be compacted, there has been, it cannot be denied, a great deal of confusion and uncertainty. The so-called ethical systems have palpably lacked coherence. They have seemed rather like aggregations of distinct and partial truths, than like real systems, the parts of which have been reduced to actual unity in virtue of their necessary and clearly perceived mutual dependence. Indeed, we are inclined to think that the new interest in ethical discussions which has of late been manifested, is itself to be taken as proof of an existing conviction that there were still serious deficiencies that might possibly be supplied. If any writer, therefore, is able to make any important contribution to the supply of these deficiencies, he certainly has a claim to a candid and thoughtful hearing; and a really fresh and original discussion, attempting nothing less than a thorough re-investigation of the whole subject from a new position, may well be heartily welcomed by all thoughtful readers.

It is such a discussion that is furnished in the volume now

before us. President Hopkins is well known to the reading world, by various published essays and discourses, — several of them collected and republished in a substantial volume, — and by his able course of Lectures on the Evidences of Christianity, delivered some years ago before the Lowell Institute, and now used in Harvard College and elsewhere as a text-book. Ever since his entrance on the Professorship of Moral Philosophy in Williams College, from which, on the resignation of Dr. Griffin, he was transferred to the presidential chair, his reputation as a man of thought, and as a clear and able writer, has been steadily extending. His Baccalaureate Addresses have been heard, from year to year, with an extraordinary interest, not only by those for whom they have been specially prepared, but also by large and appreciative audiences which they have drawn together. Several of these have been published, and widely read and admired by the lovers of fresh and penetrative thought. From a writer of such antecedents, addressing himself deliberately to the task of constructing a system of moral science, and offering to the world the results of his maturest thought, a contribution of solid value would naturally have been expected. It would seem but reasonable to look for some extension of the circle of vision, or, at the least, for some scattering of old mists that had hung over no inconsiderable portions of the field. How far President Hopkins has met the expectation which the announcement of his work must certainly have excited, our readers may judge when we shall have laid before them, in as summary a way as possible, what he has actually done. We will endeavor to exhibit clearly the fundamental idea of the system, and the vital and salient points of the discussion. Those who are at all familiar with such studies will easily adjust the subordinate topics so as to fill up the outline harmoniously for themselves.

After a graceful dedication to the graduates of Williams College, Dr. Hopkins foreshadows the line of inquiry which he proposes to pursue, in the following paragraph of his Preface : —

"Philosophy investigates causes, unities, and ends. Of these it is the last two that are chiefly considered in the following Lectures.

'Happy' — it has been said — 'is he who knows the causes of things.' But in a world where there are so many discrepancies, both natural and moral, he must be more happy who knows the arrangement of things into systems, and sees how all these systems go to make up one greater system and to promote a common end. An investigation of causes respects the past; of unities and ends, the present and the future. Of these the latter are more intimate to us; and he who can trace the principle of unity by which Nature is harmonized with herself, and man with himself, and the individual with society, and man with God, — who can see in all these a complex unity, and can apprehend their end, — will have an element of satisfaction far greater than he who should know the causes of all things without being able to unravel their perplexities."

The first Lecture opens with a parallel between astronomy and moral science, for the sake of exhibiting the reasons for the comparatively slow progress of the latter. As the chief of these are mentioned the difficulty pertaining to the observation of all mental phenomena, arising out of the fact that the mind is at once the observer and the observed; the want of a careful discrimination between the science of morals and other related subjects; the great complexity of the science itself; the fact that observation and analysis become more difficult in proportion as we approach what is most intimate and central in ourselves; the want of definite terms, and the deficiency of men in practical virtue.

In the second Lecture, Dr. Hopkins lays carefully the foundation of his own ethical system. This is done with precision and simplicity. The great difficulty in discussions on morals has always been to find a solid basis on which the several parts might be built into a real unity. It has been clearly seen by many writers, that there ought to be discovered some central principle or fact which should determine the order and harmony of all the rest. This has been the thing sought in the various inquiries as to the nature or ground of virtue; in those that relate to the origin of the moral sentiments, and to the question of a moral sense; and in those that pertain to the doctrine of an ultimate right, eternal and immutable. But, as in astronomy the assumption of wrong hypotheses, while it seemed to afford an explanation of

some of the well-known phenomena, served only to complicate and darken others; so in morals the assumed centres of the proposed ethical systems have been proved false by their failure to solve the difficulties on all sides, and to reduce the different elements to order. In his attempt to find a new position that shall fulfil the required conditions, Dr. Hopkins begins as follows: —

"Moral philosophy respects the character and conduct of men only as there are acts which they ought or ought not to do. Wherever the word *ought*, indicating duty, can go, there is its domain; and the point beyond which that cannot go fixes its limit. Whoever can answer in all cases these three questions, — 1st. *What ought to be done?* 2d. *Why ought it to be done?* 3d. *How ought it to be done?* — has mastered the science of morals.

"In answering these questions we may seek aid in various directions. I propose to inquire, at present, what aid we may derive from a consideration of *ends*, as they stand related to all rational and moral action.

"In acting morally, man also acts rationally; but it is the characteristic of rational action, that it involves the conception of an end. Except in the apprehension of an end, there is nothing that a rational being can do, or that a moral being ought to do." — p. 40.

"An intelligent being, whose end would not be revealed *in* itself, would be an absurdity. If the end were not revealed *to* itself, it would be lost. It is the possibility and measure of such knowledge that determines the possibility and measure of any philosophy of man.

"The perfection of man, viewed merely as a product of divine power, must consist in his adaptation and capacity to attain the end for which he was made." — p. 42.

That there may be no obscurity in the discussion arising from any possible ambiguity in the use of the word *end*, in reference to man, this word, which is to play a very important part, is carefully defined. It is intended to represent, not a simple, but a complex idea. The elements of this idea are given in the following passage.

"As intelligent and responsible, the end of man is to choose something; as an agent, it is to do something; as capable of enjoyment, it is to enjoy something; and as a creature made by God, his end is to *be* that which will enable him to do and to enjoy all that God intended

he should. He is to be something, to choose and do something, and to enjoy something; and his whole end will be to be what God intended he should be, to choose and do what he intended he should choose and do, and to enjoy what he intended he should enjoy. He who should fail in any of these, would fail of attaining his whole end." — p. 43.

To give still greater precision to the doctrine of ends, Dr. Hopkins states, that an end may be attained in either of three ways: by instinct, blindly; by obedience to a rule, that is, by faith; or understandingly and rationally. He also distinguishes ends as subordinate, ultimate, and supreme. A subordinate end is one that is chosen for something beyond itself to which it stands related. An ultimate end is one that is chosen for its own sake, without reference to anything beyond. A supreme end is that to which, among ultimate ends, all others are subordinate. A subordinate end is not necessarily a good in itself. It may be in itself an evil; as when, for example, a surgical operation is chosen for the relief it promises. An ultimate end is always some form of good. Thus the pleasure to be derived from seeing the landscape is the end for which we ascend a mountain and place ourselves in a position to gain the view. In this connection it is shown that the relation of volition to an ultimate end is never direct. Some action proximate to the end is the direct object of volition. We will to gain the position. The pleasure of the prospect follows. Man cannot, therefore, make happiness a direct object of volition. He wills the doing of acts which God has made the condition of happiness. This fact has important bearings, and should not be overlooked.

It is asserted that an end involves some form of good. The question of course arises, What is *a good?* To this it is answered, that a good must be either some form of enjoyment, satisfaction, blessedness, or that which is the occasion, cause, or ground of such enjoyment. A good supposes sensitive, conscious beings, whose faculties are in action. Without such beings and such activity there would be no good. But good, as connected with the activity of such beings, must lie either in the activity itself or in its results. Activity itself, however, without results, would not be a good, and still less

would it be so with results which were evil. But we learn from consciousness that any sort of normal activity produces enjoyment, satisfaction, blessedness, according to the faculties that act; so that there are many forms of good, the combination of all which, in the highest possible degree, must constitute the whole good of man. This good connected with the normal activity of the faculties is an end that is wholly for its own sake. *The highest good would result from the activity of the highest powers in a right relation to their highest object.* This statement is of great importance, as it involves the *rule of right.* The course of action which secures to man the whole good for which he was made must be right.

To the primary question, then, in morals, What ought to be done? Dr. Hopkins replies, To ascertain the end for which we were made, and to seek to accomplish that end. To the second question, Why ought it to be done? he replies, Because of the intrinsic worth and excellency of that end. If there were nothing valuable in itself, there would be nothing that ought to be either chosen or done. On the choice of the supreme good by the rational will is grounded an immutable morality.

We have thus given our readers, in a condensed form, and nearly in the words of the author, the views which form the groundwork of his system. The assumption of the fact, derived from his constitution, that man is created for, and fitted to attain, a certain end, and must in the attainment of that end fulfil all his moral duty, as the fundamental fact in moral philosophy, in the light of which all its details must be explained, and by which they may all be harmonized and bound together, is that which gives its distinctive character and marked originality to the work before us. The conception of man's duty as affected by his relation to an end, is not indeed altogether new. Others have incidentally adverted to it. Several writers have seemed to catch occasional glimpses of the truth, who have yet failed to seize and hold it, and to perceive its important bearings. Even Dr. Samuel Clarke, as if half unconsciously recognizing the doctrine of ends, though contrary to his own theory, is quoted by Mackintosh as saying, "The Deity acts according to the eternal relations of things, *in order to the good of the whole universe;* and subordinate

moral agents ought to be governed by the same rules *for the good of the public*";* the meaning of which is, that the good of the universe is the supreme end of God and man alike, and that this determines God's conduct, and should determine that of man. Jouffroy, who agrees with Malebranche in making virtue to consist in the love of the universal order, still holds the following language: "Destroy the idea of order, and no longer is there anything sacred in itself to the eye of reason; consequently nothing obligatory, and no moral difference between our ends and actions. But restore this idea, and the universe and man become at once intelligible: *an end appears* for all and every creature, a sacred order which every rational being is bound to respect." † In a recently published treatise by Dr. Hubbard Winslow, we find this forcible statement: "There is no moral excellence in merely seeking our own happiness; but there is moral excellence in glorifying God, in the doing of which our happiness is involved. Hence our true end of all ends, morally, is the glory of God, whilst our end of all ends, instinctively, is our highest happiness; and as our moral and instinctive being was never designed to be separated, so our duty and happiness must be eternally united." ‡ Our moral duty and our happiness are here seen to be dependent on our end.

These may serve as examples of the manner in which others have spoken in respect to ends. The idea of constructing a system of moral science on the basis of man's relation to his end does not, however, appear to have occurred to any previous writer. President Hopkins differs from those who have gone before him, not only in the different place which he assigns to the conception of man's relation to his *end*, but also in the different conception which he forms as to what actually is man's highest *good*. In these two things we find at once the foundation of his system and the source of its distinctive characteristics, — of its freshness and value as a contribution to the world of thought. Having set forth clearly his doctrine in regard to ends and to the highest good, the remainder of his treatise is occupied with the task — a

* Mackintosh's Dissertation, Sec. 5.

† Introd. to Ethics, p. 68.

‡ Winslow's Elem. Mor. Phil., p. 288.

task most laborious in its nature, but acutely and carefully performed — of carrying these primary conceptions through the whole science, and adjusting into harmony with these all the statements of the various particular truths. He has found what he believes to be the clew to the previously perplexing labyrinth, and he endeavors to prove it to be the right one by actually threading the mazes by its aid.

The first step in this process is an exposition of the different forms or grades of good. Here it is shown that a general classification may be made on the basis of the distinction in our constitution between susceptibilities and powers; the former giving pleasure and the latter happiness. Proceeding, then, to a more specific discrimination, Dr. Hopkins unfolds his view in the following comprehensive statements.

"We now turn from this broad classification of good to inquire for the basis of one that is more exact. We speak of good as higher and lower, and we have an instinctive feeling that some forms of good are higher than others. Is there a criterion by which we may determine what is higher and what is lower?

"In answering this question, I hope for indulgence if I enter upon a range somewhat wide. Moral science has usually been studied as isolated. My wish is to connect it with the laws of that physical system which not only supports man, but has its culmination in him. I wish to show that there runs through both one principle of gradation, and one law for the limitation of forces and activities, and so of the forms of good resulting from them. If this can be done, it will add to both physical and moral science the beauty of a higher unity than has commonly been noticed, and will show that there could have been but one author for both.

"All good, and all arrangements for good, are the result of some activity. They are in or from it. Arrangements conditional for good are the product of forces; good itself, of faculties. A faculty is a force united to personality, and subject to the control of the will. What we need to find, then, is a common law for the subordination and limitation of both forces and faculties. This we find in their relation to each other as conditional and conditioned. The forces that are at work around us and the faculties within us, from the lowest to the highest, may be ranked as higher and lower as they are or are not a condition one for another. That which is a condition for another is always the lower." — p. 63.

We find accordingly, in the next place, a very ingenious and striking illustration of this gradation of good, as determined by the forces and faculties with which the different forms of being stand severally connected. The author places gravity, as the primary force, and conditional for the activity of every other, the lowest of all. The next higher force is the attraction of cohesion. Next to this comes chemical affinity, the compounds formed by which are conditional for the action of that power which we call life. But the inorganic is also conditional for the organic or living world, in which we find three great forces with their products. These are the vegetable, the animal, and the rational life. Of these, vegetable life, the lowest, is conditional for animal life; and this again for the rational and moral life, by which man is allied to God. We will here quote the exact words of the author.

"We have, then, finally and highest of all, this rational and moral life, by which man is made in the image of God. In man, as thus constituted, we first find a being who is capable of choosing his own end; or, rather, of choosing or rejecting the end indicated by his whole nature. This is moral freedom, and in this is the precise point of transition from all that is below to all that which is highest. For everything below man the end is necessitated. Whatever choice there may be in the agency of animals of means for the attainment of their end, — and they have one somewhat wide, — they have none in respect to the end itself. This, for our purpose, and for all purposes, is the characteristic distinction, so long sought, between man and the brute. Man determines his own end; the end of the brute is necessitated. Up to man, everything is driven to its end by a force working from without, or from behind; but for him the pillar of cloud and of fire puts itself in front, and he follows it or not as he chooses.

"In the above cases it will be seen that the process is one of the addition of new forces, with a constant limitation of the field in which they act. The sphere of gravitation is wider than that of cohesion. Cohesion rests upon it as upon a base. The sphere of cohesion is wider than that of chemical affinity; that of chemical affinity wider than that of life; that of vegetable life wider than that of animal life; and that of animal life wider than that of rational life. Hence the plan of the creation may be compared to a pyramid, growing narrower by successive platforms. It is to be noticed, however, that, while the field of each added and superior force is narrowed, yet nothing is

dropped. Each lower force shoots through, and combines itself with all that is higher. Because he is rational, man is not the less subject to gravitation, and cohesion, and chemical affinity. He has also the organic life that belongs to the plant, and the sensitive and instinctive life that belongs to the animal. In him none of these are dropped; but the rational life is united with, and superinduced upon, all these, so that man is not only a microcosm, but is the natural head and ruler of the world. He partakes of all that is below him, and becomes man by the addition of something higher." — pp. 66, 67.

This law of gradation, it is shown, is to be traced, not only throughout the physical constitution of man, but also in the mind itself; giving, in the former, those systems which are for building and repairing, those which are for support and locomotion, and those which are for sensation and direction, — each lower system being conditional for the higher; and in the latter, the intellect, or cognitive faculties, conditional for the emotive nature, and this again conditional for the conative powers, or desire and will.

Beginning at the lowest point of sensitive life, it is found, at every ascending step, that each force acts for its own end, and then that this end is the condition of something higher. From this view come two most interesting and important results. First, a *clearly defined law of limitation* is obtained for all the lower powers and faculties. To the question, — which has been hitherto one of the most difficult in morals, — How far may any given form of inferior good be sought? — the answer is, that it may be sought up to that point at which it has fulfilled its end, that is, at which it is most perfectly conditional for the higher good to which it stands related. Advancing from each form of inferior good to that next above, when we reach the highest form of good, — that which results from the highest moral activity, — the limitation ceases. To the enjoyment of the highest good there can be no limit but that which is found in the capacity of the being; since that good is conditional for nothing beyond.

The other result of this admirable gradation is, that in it is found *the principle of unity for the universe.* Each force being not only conditioned for a higher, but being precisely such as is *best* conditioned for a higher, the universe is seen

to be, not only one great whole, but an orderly and well-adjusted whole. In this universe each force and faculty, and each particular form of good, has its own place and value definitely determined, and all are combined as essential parts of the complete and harmonious system, the one grand and beautiful unity. This view leaves nothing isolated or fragmentary. It satisfies the comprehending reason.

We have endeavored to exhibit, as fully as our limits will allow, this part of Dr. Hopkins's course, both because it is rich in interest of itself, and because it embraces most of the elements, or primary statements and distinctions of his system. We have thus far been occupied chiefly with the second and third Lectures. On the next four we shall not dwell long. In accordance with his general principles, as already stated, after distinguishing spontaneous from voluntary mental activity, Dr. Hopkins goes on to classify the faculties as they are related to ends. He divides the faculties or powers into two great classes, namely, those which are instrumental for the attainment of ends beyond themselves, and those in whose activity we find ends beyond which there are no others. The first class is again divided into those faculties which indicate ends, as the instincts, the appetites, the desires, and the natural affections; and the intellect, in the light of which we pursue ends. These do not necessarily imply a moral nature. The second great class includes the powers that belong to man as a person, — reason, moral affections, and free will. These are the moral nature. The most important parts of practical ethics are discussed in the light, and by the aid, of this classification. A new interest is here thrown over topics that were trite, and many original suggestions will repay the intelligent and careful reader.

With the seventh Lecture the discussion reaches a loftier region of thought. It here grapples with those questions pertaining to the moral nature of man, which, as they are of the utmost importance, have also been found to involve the greatest difficulties, and some of which have been the theme of high and keen debate among the acutest thinkers of all schools. The more familiar one is with past discussions, the less sanguine will be his hope of being able so to handle

these questions as to give satisfaction at all points, even to the most candid inquirer. Here, however, as elsewhere, Dr. Hopkins avoids the style of controversy, and proceeds calmly on in the exposition of his own results. Truth is not only best exhibited, but is most likely to be rightly apprehended and received, when thus set forth.

It was shown, in an earlier Lecture, that the specific difference between man and the brutes is, that man is endowed with the capacity of knowing the end for which God made him, and of either choosing or rejecting it. What then, it is asked, are the powers needed in order to enable him to choose his own end? What are *the elements of personality*, and the *a priori* conditions of a moral act?

First of all, reason. But what is reason? Few words are used with less precision. It often denotes, in the older writers, the power by which the mind understands, deduces, concludes from premises. But since the animals do all this, they felt the necessity of making the word include something more and higher, and yet did not determine precisely how much or what. Since modern discussions have distinguished between the understanding, or discursive faculty, and the reason, or the intuitional power, there has been less confusion. Dr. Hopkins denotes by reason that which gives origin to the word rational, that in virtue of which man necessarily has certain ideas and beliefs, or rational intuitions; not as innate, but as appearing infallibly on the proper occasions. The distinction between reason thus defined, and the moral reason, we shall best give in the exact words of the author.

"Of ideas and beliefs thus given, those that are moral are so peculiar that philosophers have properly attributed their origin to what they have called the moral or spiritual reason. This is reason and something more, else it would not be moral. This something more comes from its complexity as higher than mere primitive cognition or rational intuition. In the first two classes of intellectual products above mentioned, the intellectual element is almost sole. In the third, there is the synthesis of a rational product with that of sensibility. But here, not only intellect and feeling are involved, as in the mere contemplation of the beautiful; the will is also reached. The idea of obligation is nothing except as there is in it not only feeling, but a requisition

upon the will. As a product of the moral reason is an idea, there is in it intellect; as it is an idea of obligation, there is in it feeling; and as this feeling is that of an imperative upon the will, it is clear that, in a normal state, the activity of the moral reason would involve that of the whole man. It is as nearly a synthesis of intellect, feeling, and will as is possible and leave the will free. Between ideas of the moral reason and others there is the same difference as between a cannon-ball that is heated and one that is not. They do not lie still and cold, but respect action, and are of such a nature that we cannot be indifferent to them." — pp. 161, 162.

Along with the moral reason, and the moral ideas and affections connected with it, there must be further, as essential to personality, a Rational Will, — a will in freedom. The element of will is presupposed in every act which we recognize as moral. A man can have no responsibility and feel no obligation in regard to anything that has no connection, direct or indirect, with the will. Free will completes the personality requisite to the doing of a moral act. In the performance of such an act, however, there is involved of necessity reference to an end. The idea of an end involving a good is implied in all acts of rational choice. A rational being must know his own end; and we have then a *person knowing his end;* and thus all the prerequisites of a moral act. A moral act is one which respects the supreme end. Obligation to choose this end is affirmed in view of it as *good;* and such a choice is approved as *right.* It is in connection with the rational choice — the immanent preference — of an end, that the ideas of obligation and moral law, of merit and demerit, of reward and punishment, arise; as also the ideas of right and wrong, which are always relative, expressing either fitness or unfitness in reference to an end, and having a moral quality only when they relate to specific moral acts, or to the state of the affections in reference to the supreme end. Virtue consists in the abiding choice or preference of the supreme good, and becomes holiness as it condemns and abhors whatever would obstruct the attainment of that good. Moreover, since the supreme good is found in *the highest moral activity*, which is LOVE, the conclusion reached by the philosophical study of the human constitution is precisely that affirmed by revelation,

that, in the highest activity of his highest powers, man perfectly fulfils his duty and attains his true end.

The question next arises, whether virtue, or holiness, and happiness can be identified as objects of pursuit. Kant said, No. So have said many others, before and after him. Dr. Hopkins replies in the affirmative. According to his principles, the formula for the highest *enjoyment* is the highest possible activity of the highest powers; and his formula for *virtue* is the highest normal activity of the *moral* powers, which *are* the highest. The formulas are, for substance, identical; and the things themselves, if not identical, are at least as inseparably connected by natural law as light is with the sun. Moral good, it is maintained, differs essentially from all other good, and is fitted by its peculiar attributes to be the *highest* good. The three attributes specified are these: First, it is independent of anything without the mind, and proceeds from the direct activity of the will. Secondly, it is accompanied with approbation, — a feeling of complacency and hope not found in connection with any other good. Thirdly, the activity required for its attainment is identical with that required for the general good. Virtue or holiness does, therefore, stand in a causal relation to such good. We will here once more quote, on a vital point, the author's own words.

"Do we say, then, that the end for man is happiness? No. The good here, the highest good, is from the normal activity of the moral powers. As such, that activity is obedience to the law of God, however revealed. It is all that can be commanded or directly willed, or that can be approved and honored. It is virtue; it is holiness. Do we then say that virtue, or holiness, is the end for man? No; for in this holiness there is a blessedness wholly distinctive and peculiar, — higher, purer, nobler, than any other; a blessedness like that of God himself, and as inseparable from the holiness as light is from the sun. Not, then, in happiness without holiness do we say is the true end for man, for without that the happiness could not be; not in holiness without happiness, for without that the holiness could not be and be holiness, any more than the sun could be the sun without its light. But we do say that the true end for man is Holy Happiness, that is, Blessedness. Not the oxygen alone do we need, not the hydrogen alone, but the water, — that living water of which if a man drink he shall never thirst." — pp. 195, 196.

To complete the treatment of this part of the subject, it only remained to notice the relation between natural and moral good. Moral good results directly and necessarily from moral goodness, and moral evil directly and necessarily from moral badness, or wickedness. We naturally conclude that moral goodness should also have a causal relation to *natural* good, and moral badness to natural evil. But in the present state we do not find it so. This often shocks our sense of fitness, and for this difficulty philosophy affords no adequate solution, though some of its suggestions may, in some degree, relieve its pressure. The present state seems, therefore, to direct our thoughts forward to a future life; and if this be admitted, it is seen that the want of right adjustment which we feel may be, and probably is, only temporary, — the result of a present derangement of the Divine order. Under a perfect moral government, we must conceive that there can be no opposition between natural and moral good, but that moral goodness will be causal for both alike.

We have been so full in the exposition of our author's views thus far, that we must content ourselves with briefly referring to two or three topics more. One of the most important of the remaining points discussed is found in the opening of the ninth Lecture. Dr. Hopkins here endeavors to determine, more accurately than others have done, the precise sphere of moral science. In looking at an outward act of a moral being, and inquiring into its character, we may trace it backward to its source, or forward to its consequences. Going back to the moral activity in which it originated, we find in some mode of this the moral quality of the action, in view of which we say that it is virtuous or vicious, good or bad. Going forward, we reach the consequences of the action, which we characterize as useful or injurious, right or wrong; terms which, as has been shown, denote relation to an end, and not, in strict propriety, moral quality. To attribute moral quality *to actions* apart from the moral activity in which they have their origin, as is done by many writers, it is insisted, is not only inaccurate in itself, but productive of great confusion both of language and of thought. Moral quality President Hopkins will have attributed *only to the activity of a moral agent*, a responsible

mind. An action is good when it originates in the choice of the highest end. An action is right when it is the action most directly conducive to the attainment of that end. Moral philosophy properly confines itself to the sphere of moral quality.

What, then, is the province of conscience, and how far is it infallible? We have seen that, in the system under review, conscience is a function of the moral reason. Of course its action is not directly dependent on the will. If the conscience be unperverted, and see the subject about which it judges as it is, its decision may be relied on as infallible. Or, to state the same thing differently, in deciding between good and evil clearly apprehended according to the nature of each, conscience infallibly approves and commands the good. But while it infallibly asserts the obligation to choose the supreme end, and must, therefore, assert the obligation of acts as right which are seen to be essential to the attainment of that end, there is room for misjudgment as to what is essential to the attainment of that end. Through this misjudgment conscience may approve as right what is not right in fact, and condemn as wrong what really is not wrong. The conscience may be perverted by moral causes. It may be misled by errors of the judgment. It may be improved, like other faculties, by training, or may act imperfectly for want of training. In the case of a perfect being, the voice of conscience will be simply the voice of approval, speaking peace perpetually to the soul.

The tenth Lecture discusses the relation of virtue to rectitude, and to expediency and prudence. Where virtue exists, there can be a failure in rectitude only by mistake. The want of virtue involves guilt, and this stands related to the incalculable consequences which a personal God, acting as moral Governor, may inflict in the form of direct punishment. The want of rectitude involves a departure from the line of conduct demanded by the nature of things, and draws after it the natural evil which the wrong action, whatever it may be, naturally produces. Expediency and prudence belong not to the sphere of virtue, which is concerned with ends, but to that of rectitude, which is concerned with means for the attainment of ends.

The origin of moral distinctions Dr. Hopkins finds in the

Divine character and will. In this connection he expresses his disapproval of what he characterizes as the common mode of speaking of the *nature* of God, as if this were something behind his will and determining his conduct. Dr. Hickok had before presented this view with great strength of statement.* Both these writers deny that there is any *nature* in God lying behind his free and rational activity; and think that to ascribe to him such a nature is to make him a mere *causa causata*. Whether anything like this has been really intended, or fairly implied, when the Divine *nature* has been spoken of, there may be some room to doubt. But we find just here a good illustration of the inadequacy of language as the instrument of such discussions; for President Hopkins is still obliged himself to say that God's infinite reason — (his rational nature?) — determines his will and action. Go back as we may, he says, we find simply a personal God, rational and free. *As such, he is a law unto himself*, subject to no necessity, *except the necessity there is that reason should act rationally*. Is not this, then, a real necessity? Does not Dr. Hopkins allow this when he says that, instead of a blind fate, the conception of God as supernatural gives us *that moral certainty* which accompanies the highest freedom? Is it really anything more than this that good thinkers have meant when they have spoken of the *nature* of God? We do not remember to have met with a stronger assertion of a nature in God anywhere, than one which we have noticed in a little work on practical religion, which has recently been published.

"God, no less than man," says this writer, "has a nature, and within that nature laws by which he is irresistibly governed, and ends to which his designs infallibly tend; and it is probable, indeed certain, that, if we could see clearly into the depths of the Divine counsels, we should find nothing arbitrary or adventitious in any of the works or decrees of the Almighty; nothing, I mean, which *could have been otherwise than that which it is*. Choice is the glory of humanity, — its distinctive attribute; raising a man as high above the inferior creatures as it sinks him below Deity, for to choose is obviously as human as is to err; infinite wisdom can see and take but one way." †

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* Rational Cosmology, p. 52. † The Patience of Hope, p. 130, note.

Yet, immediately after these strong expressions, we read: —

"What is Predestination, the Christian form of Fatalism, but this, — the everlasting purpose of God *towards good*, which sin by its very nature contradicts?"

But what is the *purpose* of God more than a determination of his will in the light of his infinite reason, to which Drs. Hickok and Hopkins both agree? Still it may not have been amiss to call attention to this point, and to insist that there is nothing back of the reason and the will of God, as they have done. It is certainly a grave error to conceive of God as lacking any element of the highest possible freedom.

We must conclude our analysis of the work before us with simply stating, that it is further shown that man's true end may be pursued not only as apprehended distinctly, not only by reason, but also by instinct and by faith, these acting in coincidence with reason; that, in a lecture on rights, it is maintained that rights have their origin in the will of God, expressed in the constitution of man's active nature, and as connected with the attainment of his end, — so that alienable rights are those which are not essential to the attainment of his end, and inalienable rights those that are thus essential; and, finally, that the discussion closes with a consideration of the certainty of a life to come, thus adding to morality the solemn sanctions of religion.

It will be seen by all who are familiar with the subject, that, in pursuing his own course, President Hopkins has travelled straight through the disputed territories of moral science. If his premises are sound, and he has reasoned from them consistently, — if his doctrine of ends is valid, and there is no material error in the attempted adjustment of all parts of the system to it, — then, certainly, an important advance is made in this discussion. Some of the most difficult and hitherto unsettled questions — the Gordian knots of theoretical ethics — are finally disposed of, and the science is rendered more harmonious and complete. It is of course to be expected that the different schools already existing will form different judgments as to the degree of success attending this new effort; but, characterized as it is by great candor combined with marked ability, it cannot fail to be kindly and respect-

fully received, even by those who may dissent from its principles and its conclusions. The results reached in these Lectures have very important bearings on other related subjects, particularly on theology; but the consideration of these, not altogether suited to our pages, we must leave to those within whose province they more appropriately fall. We shall, however, in conclusion, make some general suggestions on one or two of the more essential points involved in the proposed system, the substance of which we have endeavored to give to our readers.

The central question in morals must always be, What is the ultimate object for man as a moral being? Is it his own *happiness*, demanded by the instincts, apprehended by the intellect as included in the highest happiness of the universe, and pursued with a just regard to that? Is it an *ultimate right* intuitively perceived by reason and recognized as imperative by conscience? Or is it something different from either? The principal moral systems, hitherto, appear to be grounded on one or the other of the conceptions above named, or on some modification of one or the other of them, and so to be reducible virtually to two. Dr. Hopkins proposes what he believes to be a *tertium quid*, a new conception, on the basis f which a system may be reared, which, instead of being identical with either of the others, is something intermediate, and involving a synthesis of the radical ideas of both. Such a system he has endeavored to construct, as we have seen. Has he succeeded? Let us recapitulate, in the briefest possible manner, the main elements of his system, of which we have given a somewhat full analysis.

Not *right*, but *moral good* — holy blessedness — is ultimate.

Obligation is affirmed in connection with *choice*, — the choice of an end *as good*.

The supreme good, the end for which God made us, results from the highest moral activity, — that is, from the *highest love of goodness for itself*, and not as related to something beyond.

Moral reason perceives the supreme end by direct intuition; and conscience, which is a function of the moral reason, commands and approves the choice of it, and condemns whatever stands in the way of its attainment.

Virtue consists in the free and rational choice of the supreme end; and *right*, in the doing of those things which stand directly related to that end as means.

Moral quality appertains only to the moral activity of *a person*. It does not belong to *actions* in themselves, and apart from such activity.

It will be seen, that, while the theory which regards happiness as ultimate makes virtue to consist in pursuing one's own happiness in the way demanded by a due regard to the happiness of all, — and while the theory which regards right as ultimate makes virtue to consist in obeying the categorical imperative of conscience commanding the right simply as right, — Dr. Hopkins's theory, which regards *moral good* as ultimate, makes virtue to consist in the choice of the end for which God created the rational soul, — the holy blessedness to be found in the highest moral activity, — this immanent or generic choice of course involving all subordinate and specific virtuous choices. According to this last theory, moral reason intuitively apprehends *holy blessedness* as "the last end of God in the creation" of man. God has created him, not for mere happiness, not for mere rectitude, but for that good which is the *synthesis of the two*, — the good included in the activity of his highest powers in a right relation to their highest object, which *necessarily involves the two inseparably combined*. This good, moreover, as supreme, is seen, in the light of reason, to be altogether excellent in itself. It commands the approbation of the rational soul. Because it *is* a soul endowed with moral reason, the human soul recognizes in this good that beyond which there can be to it no other good; that in the attainment of which the highest development and perfection of its being, the discharge of its highest obligations, and the complete fulfilment of its end, are realized. But because this supreme good *includes in it* happiness, it by no means follows that this theory makes happiness — mere happiness — the supreme good, as the utilitarian theory does. The choice of this good, for its own intrinsic excellence, is not the choice of it *as a utility*. It does not make utility the ground of virtue. It lays the foundation for an immutable morality, by making virtue to consist in the choice of that

which moral reason sees to be supremely good, *for its own sake*.

We have seen it suggested, in a notice of the book elsewhere, that President Hopkins is inconsistent with himself; that, while he professedly rejects the theory of utility, his principles really involve it. We think this criticism not well founded. It strikes us, on the contrary, that it is one of the distinguishing features of the treatise, that it exhibits a rigid and unflinching adherence to the first principles or truths asserted, from the beginning to the end. We have marvelled at the coolness and the courage with which the author has pursued his way across the old battle-fields of mighty men. We think that, whatever else may be said of his doctrine of ends, it must be allowed that he has fairly carried it through the whole sphere of morals, and has logically developed its results. Whether these results are identical with those of the utilitarian theory, our readers have before them the means of judging for themselves. If to avoid utilitarianism it be necessary to have a theory requiring man to act without any regard whatever to what is useful, and implying that God has made a universe that is of no use at all either to himself or to his creatures, then doubtless Dr. Hopkins should be classed as a utilitarian; but not otherwise. If any should choose to regard his system as including all that the best thinkers have *intended*, when they have made utility the ground of virtue, this is what he himself has claimed; only he supposes that it involves also *something more*, namely, that likewise which is intended by the best thinkers who hold that virtue must find its ground in the eternal, absolute right. But inasmuch as Dr. Hopkins makes *good*, and not *right*, ultimate, it would not be difficult, were one so disposed, by disregarding his definitions and distinctions, so to misrepresent him as to make him *seem* in fact to favor the utilitarian theory. It is none the less true, however, that his system is essentially and self-consistently of a different character.

In making *good* ultimate, instead of *right*, Dr. Hopkins believes himself to be sustained by the results of a careful analysis of man as a moral being; and he is confirmed in

his conviction of the correctness of his analysis, by the fact that it leads him as a philosopher to assume precisely that to be the highest end for man which is declared to be his highest end by the revealed law of God; namely, supreme love to God as to the highest moral object to which he stands related. In fulfilling his end, therefore, on this theory, man leads the life of love; freely, spontaneously, without constraint of law, devoted to that which his highest reason approves and rests in as absolute excellence or goodness. But if right be made ultimate, the *primary* element of virtuous life must, on the other hand, necessarily be subjection to law, — obedience to the eternal rule of rectitude; in other words, duty, constraint, first, and only secondarily affection, — affection always implying the apprehension of a good, and good itself being secondary, according to this theory. The *love* of the absolute right does not seem to be a *possible* conception, as man's nature actually is. Or if it be maintained that the absolute right may be chosen *as a good*, then good becomes the ultimate object after all, as Dr. Hopkins has maintained, or at least the two become identified.

It is a further advantage of the system under review, if its conclusions be accepted, that it harmonizes, or brings into coalescence, the teleological and the *a priori* systems of morality. The recognition of a moral governor is an indispensable condition of any moral system. Accordingly, it was formerly the usual course to prove the existence and attributes of God inductively, reasoning from effects upward to the cause; and then to deduce from these man's moral relations and duties. Although the logical process in this mode of reasoning was always incomplete, the method was nevertheless valid *quoad hoc*, carrying the mind, through the convictions of the understanding, up to a point at which reason intuitively saw the rest. Since Kant, on the other hand, it has been fashionable to decry the argument to the understanding as worthless. It has been held that our knowledge of God, the Absolute Being, the All-Perfect, is an intuition of the reason, or, in other words, of the rational mind in the light of reason; and that the same is true of the ultimate right and of moral obligation. Does, then, this system which

ascribes to man, in virtue of his moral reason, an intuition of his end, and of his obligation to attain it, and assigns to the understanding all questions which relate to the choice of means, and to the sphere of cause and effect, adjust these two sides of truth to each other so as to make one symmetrical and perfect whole? If it does this, as the author believes that it does, it is a great service rendered to philosophy.

We should transcend our proper limits were we to dwell longer on the topics treated in the volume which has occupied us, and to which no brief analysis can render full justice. We have done what we could in so few words to make a fair exposition of what the author has proposed to himself. We have chosen to present his system of moral science as it is, and to call attention to its distinctive peculiarities, rather than to pronounce for ourselves positively on its results.

"Non nostrum inter vos tantas componere lites!"

A new system of morals must gradually work its way into the appreciative thought of those who have been trained to other views. It is hardly to be supposed that the author of such a system would himself be able to adjust all parts in detail to his new point of view, without leaving some incongruities apparent. We shall not hesitate to say, however, of this discussion as a whole, that it bears the impress of extraordinary intellectual strength, and is characterized by patient and independent thought, and by a grateful freshness and elegance of treatment, not less than by originality of plan. President Hopkins uses language generally with precision, and expresses his meaning in few words. Here and there a paragraph or sentence, by its rhetorical spirit and turn of expression, reminds one that the author in writing had the demands of an audience in mind. If these passages should strike any as not altogether in the best style of philosophical discussion, it will be remembered that the task of interesting a popular assembly with such themes, and holding their attention through a series of lectures, must have seemed formidable enough, even with all possible accommodation of the mode of address to the public ear. There is nothing, however, really objectionable in these rhetorical expressions; on the contrary, they are often

striking and beautiful in a high degree, and serve to give animation even in the reading. To the same cause may probably be ascribed some slight defects of arrangement, occasioning a few repetitions, and the partial consideration of a topic in different places, when it might perhaps better have been exhibited at once. A reader, with the volume in his hand, can turn back if he chooses, and review a point passed over; but for the hearer, it may be necessary that what has been said should be recurred to, and even restated in some new connection.

The work embraces in its outline the entire field of moral science, and is well adapted for a text-book in the hands of a competent instructor. Such an instructor would of course give greater fulness to the outline, and assist his pupils to trace out the system into more minute details than a course of lectures would allow. The work has nothing ungenial in its tone, nothing to prevent it from gaining a kind reception; and when it has had time to find candid and discriminating readers, it must be regarded, even by those who may dissent from some of its conclusions, as a production of solid value.

It is gratifying to observe that increased attention is paid in our country to intellectual and moral science. The appearance of several new text-books in both these departments, some of them containing no small amount of fresh and vigorous discussion, may fairly be accepted as proof that such is really the fact. Intimately connected as these studies are with the development of theoretical and practical Christianity, with sound principles of government and political economy, and with individual and social virtue, the importance of giving them a larger share of attention in every course of liberal education, and of presenting them in the best form for study and instruction, cannot well be overrated. To have thoroughly mastered such a treatise as this which we have noticed, and to have followed out the trains of thought which it suggests, is to be armed with trenchant weapons against the sceptical and virtually atheistic philosophy which young men of education and thought must now encounter on every hand. It is not so much, perhaps, in the adoption of any one system in all its particular positions, as it is in a thorough acquaintance with

the whole field of inquiry, a knowledge of what the greatest thinkers have achieved from their several stand-points, that the safety of the earnest inquirer will be found. Let our young men clearly see in their courses of study that the difficulties connected with moral and religious truth, and about which sciolists so often talk and write with flippancy, have in them nothing new; that they have occupied the noblest intellects of the race, and, by their patient and candid examinations, have been steadily diminishing; and that they have never had, at any time, sufficient force to shake the firm foundations on which the best wisdom of the world has rested, and they will not be forward to renounce what they already hold as the accumulated solid gold of ages, for the sake of catching at some glittering tinsel of the hour. "Doth any man doubt," says Lord Bacon, "that if there were taken out of men's minds vain opinions, flattering hopes, false valuations, imaginations as one would, and the like, but it would leave the minds of a number of men poor, shrunken things, full of melancholy and indisposition, and unpleasing to themselves?" * The most effectual way to prevent the minds of men from being *filled* with what is worthless, or *becoming*, through emptiness, poor shrunken things, is to have inwrought with their earliest and most profound convictions the substantial and ennobling lessons of a just philosophy of the nature and the duties of man as a moral being, and as related to the invisible and the eternal. We hope the day is not distant when such studies shall hold a far more prominent place in the curriculum of our universities and colleges than they have hitherto held. The late Mr. Choate, in one of his richest and most elaborate orations, insisted on the "Conservative Influence of the Bar." † If our beloved country is destined, as we yet confidently hope, to weather the present storm, — if, with the wisdom drawn from a bitter experience, and the strength derived from a hard wrestling with adversity, she is to hold steadily on to a noble national manhood, and towards a future worthy of her youth, — she will need the highest influences of a conservative and healthful culture to temper the ardor and to steady the im-

* Bacon's Essays, "Of Truth." † Life and Writings of Rufus Choate, p. 414.

pulses of her freely developed life. She will find such influences eminently in her chairs of Moral Philosophy, if these are what they should be, — if, as in the work we have now reviewed, it shall be clearly shown, in the halls of public instruction, that reason and revelation are coincident in their teachings, the latter confirming and enforcing the former, as with the solemn voice of God. Under such training, it may be confidently anticipated that there will come up men of clear and right perceptions, of sturdy principle, of incorruptible integrity, and lofty aims, — men who shall be worthy to be the statesmen, legislators, and magistrates of a great and free republic, destined to be for the world an exponent of the true and divine idea of a Christian civilization.

Art. V. — *The Fruits of America, containing a Selection of all the Choicest Varieties cultivated in the United States.* By C. M. Hovey, Editor of the Magazine of Horticulture. Boston: Little, Brown, & Co. New York: D. Appleton & Co.

It is generally understood that Botany includes a description of plants only in their normal condition; that, when they have been considerably modified by culture, the laws of their new nature and development belong to the department of Horticulture. Flowers thus modified are assigned to the florist, and fruits to the pomologist, that the professor of botany may not be encumbered with the thousand new appearances and capricious varieties which plants are apt to assume when subjected to the appliances of art. Botany seldom descends lower in the scale of classification than to take cognizance of species and sub-species. Varieties, especially such as are produced by cultivation, as well as the laws by which these varieties have been created, are the special study of the horticulturist. These alone impose upon him a task of no small magnitude, and one requiring powers of discrimination which very few

persons possess. Each of the different branches of horticulture is sufficiently comprehensive to be made the study of a lifetime; and there is no department of this science more interesting or important than pomology, which is the subject of the elegant work now under review. It embraces a vast amount of information; and there are few readers, if they had previously given but little attention to the subject, who would not be surprised at the almost endless characters assumed, in their various habits of "sporting," by the different species of cultivated fruits.

One of the most important tasks connected with pomology is the nomenclature of varieties. The nomenclature of genera and species has exercised the powers of many of the best human intellects, and it still remains confessedly imperfect. But the difficulty increases in proportion as species have been changed by cultivation; and when they have been multiplied, as in many cases, into thousands of varieties, the work becomes almost endless. So, at least, it would be found, if it were attempted by one who had not been, for a long series of years, a cultivator of fruits, and a close student and inspector of their characters. The marks that distinguish varieties are in many cases so slight, even when important, that a person of the nicest habits of observation, unaccustomed to the task, would often find it impossible to recognize them. On the other hand, he would be liable to over-estimate the importance of certain differences which are immaterial. He would be apt to mistake those marks which are mere individual accidents or peculiarities, for those permanent and transmissible appearances properly regarded as the distinctive characteristics of the variety.

Without intending to enter minutely into details, we will enumerate a few particulars to illustrate the complications attending the art of distinguishing varieties. The first examination would obviously be made of the fruit, to determine whether it is large or small; then, if we take an apple, for example, whether it be round like a Baldwin, or oval like a Porter apple, elongated like the Gillyflower, or flattened like a Fall Pippin. We must see whether it is of one color, or of two or more colors blended. If of one color, it may be purple, red, russet, green, or yellow; if it be mixed, one side may be reddened, or

the whole surface may be more or less variegated, either mottled or striped. The pulp may be white, or yellow, or greenish, or reddish; it may be light or heavy, dry or juicy, tender, hard, soft, sweet, sour, aromatic, or insipid. Lastly, the core may be large, as in the tender-meated apples, or small, as in most of the hard and close-meated apples. These sensible qualities vary so much in the fruit of different trees of the same variety, according to soil, situation, climate, and system of culture, that we cannot depend on them as infallible tests, when we are called to identify a disputed variety.

When, therefore, any difficulty arises in determining this identity by the fruit alone, there are other circumstances to be brought to our aid. We may consider the general shape of the tree, and its mode of ramification and inflorescence. It may exhibit an upward tendency of the branches, as in the Early Harvest apple-tree; it may extend its branches more in a horizontal direction, like the tree of the Rhode Island Greening; or it may have an even, round head, without more inclination outward than upward, like the Baldwin apple-tree. Besides these appearances, the branches may be slender and numerous, or they may be short and stout; and the fruit-spurs may be short, and grow out from the sides of branches of considerable size; or they may be longer, and produced more generally from smaller branches, at or near their terminations. In the former case, the fruit will appear to surround the branches of the tree, somewhat like the flowers of the almond; in the other case, the fruit seems to hang more from the outer branches of the tree, giving it a drooping appearance. The Minister apple will illustrate one extreme of this mode of growth, and the Fall Harvey the other extreme. Lastly, the leaf of the tree is examined, whether it be large or small, smooth or pubescent, flat or corrugated; and by carefully considering all these details, in connection with the aspect and other sensible qualities of the fruit, a connoisseur will seldom fail to identify any established variety.

Some persons may regard these distinctions as a matter of very little consequence; but they are just as important as it is that the public should be supplied with good rather than bad fruit, or with a large rather than a small quantity of fruit, or

with hardy and easily cultivated kinds, rather than with those of a tender and expensive habit. The farmer fully understands the importance of planting his land with the best and most productive kinds of grass, grain, and vegetables. He knows that his interest depends on his skill and judgment in the selection of kinds, no less than on his system of tillage. The outside public is not fully aware of the difficulty of forming good judgments with regard either to agricultural or horticultural plants. Orchards and gardens, however, may be almost worthless, for the lack of good judgment in the persons employed to stock them. For the want of that sort of experience which enables one to discriminate varieties, or of the advice of some one who possesses it, many unfortunate blunders are annually repeated.

To show the importance of this kind of knowledge, we might select, for an example, three varieties of the apple very nearly resembling one another in sensible and edible qualities, which differ very materially in the abundance and durability of the product. No person would hesitate to say, that of three such varieties the most productive, if as durable as the others, would be worthy of exclusive cultivation. Or, if there were two varieties of the Baldwin apple, one of which produced a moderate quantity annually, while the other produced biennially a large quantity, how great a gain would the cultivators make by having their orchards stocked exclusively with the former! But for the determination of all these matters there must be some standard work to which pomologists as well as amateur cultivators may refer, to obtain any information desired, or to settle any question that may arise concerning the identity of a specimen of fruit. With such a standard in the possession of the public, there would be little danger that any sections of the country would be stocked with the less useful and less productive sorts, and the value of their orchards would be proportionally increased.

Mr. Hovey's "Fruits of America" is a standard work of this character, containing full, careful, and particular descriptions, such as the popular manuals cannot afford. It is illustrated with colored plates, not merely to increase its beauty and elegance as a work of art, but to afford a criterion which is very important in identifying fruits.

A great many books, professing to be guides to practical pomology, have been issued from the press in this country. In the early part of this century appeared several good treatises; among which we would mention Kenrick's "American Orchardist," Thatcher's "American Orchardist," and Manning's "Book of Fruits." More recently we have had Downing's "Fruits of America," Cole's "Fruit Book," Thomas's "American Fruit Culturist," and Barry's "Fruit Garden," all useful and popular works.

In no other country has pomology been carried to such perfection as in Great Britain, and this is owing in part to the wealth and sagacity of the great land-owners, but still more to climate. The English climate, being unfavorable to the production of some of the most valuable Northern fruits, compelled the inhabitants to put forth their utmost skill and energy to remedy the evil. This gave origin to a superior system of culture, and made the art of raising fruits a positive science. Had fewer difficulties been interposed by nature, science, being less needful, would have been comparatively neglected. We might, were this the place, show that the greatness and wealth of the English nation are to be ascribed to the scanty resources provided by nature upon their own soil. Place a man upon a rock, and oblige him to support himself by agriculture, and he will become, by necessity, a scientific farmer. Place him upon a bed of alluvium, in a fine climate, and he will leave his crops to nature, drink whiskey, and become poor in the midst of plenty.

It was in the reigns of Henry VIII. and of Elizabeth that the English people first turned their attention to the culture of such fruits and other plants as could be naturalized in England; and at that time many valuable species were introduced from America, as well as from the continent of Europe. The interest then awakened has been constantly increasing, and such has been the industry of cultivators that there is hardly, at the present time, a useful or remarkable plant which has not been cultivated either in a greenhouse or in the open air in Great Britain. It has been asserted that a stranger, travelling in that country, would find it difficult to distinguish the indigenous plants from those which have been naturalized.

So rapidly were all the different fruits multiplied into varie-

ties, that Henry Phillips, in his "Pomarium Britannicum," published in 1820, remarks, as an apology for not enumerating varieties, "that he could have filled volumes with their names alone; since he finds one individual possessing four hundred kinds of strawberries, and others as great a variety of gooseberries, while the kinds of apples, pears, and other fruits have been still more numerously multiplied." We should now enumerate them by thousands, instead of hundreds, if every new seedling that produced slightly modified characters of fruit were taken into the account.

This multiplication of varieties seems to be a modern work, as we may infer by comparing the present multitudinous list with that of the different kinds of fruit cultivated by the Romans in the time of Pliny. Sir Joseph Banks examined the Latin authors for this purpose, and communicated the result of his researches to the London Horticultural Society. From him we learn that, in the Roman gardens, almonds, both sweet and bitter, were abundant. There were twenty-two sorts of apples, eight of cherries, six of chestnuts, and several of figs. The apricot was cultivated, to a limited extent, chiefly for its fragrance. The Romans had two kinds of mulberries, and another sort described as growing on a bramble, which was probably a raspberry. They had two medlars, thirty-two or more kinds of pears, both early and late, several hazelnuts and filberts, a few prunes, a multiplicity of plums, three kinds of quinces, and several services. Strawberries were scarce, as the climate of Italy was too warm for them. Of grapes they had numerous sorts; of walnuts they had the soft-shelled and the hard-shelled, and they believed that in the Golden Age, when mankind lived upon acorns, the gods lived upon walnuts. Hence the name Juglans, given to the walnut-tree, from *Jovis glans*.

It is a fact deserving attention, that, in the days of Queen Elizabeth, several species of fruit were cultivated in orchards, which are now considered worthless, and are almost entirely neglected. Among these may be mentioned the Sorbus, known by the familiar name of Service-tree, which is undoubtedly a corruption of the Latin name, as the fruit was never held in much esteem, or deemed remarkably serviceable. The other

fruits included in the same category are the Medlar, the Lotus, and the Cornel. The fruit of all these species is harsh, astringent, and of little value.

The service-tree deserves mention only as a subject of pomological history. It is a large tree, often attaining the dimensions of a moderate-sized oak; and is planted in many places for shade and ornament. The service-berries are unfit for use until they are mellowed by partial decay. They grow in bunches, like the berries of the mountain-ash; when gathered, they are strung upon a cleft stick, hung up out of doors, and allowed to remain until they have passed through the first stage of decomposition; and in this state the fruit was sold by the country people. At the present day so little use is made of the fruit of the Sorbus, that a few only of the inhabitants of Great Britain are acquainted with the tree.

The Medlar (*Mespilus*), like the Sorbus, bears a fruit that is not eaten until it is partially decayed, when it is mellow and agreeable. Gerard says: "The medlar grows in hedges, among briers and brambles. Being grafted on the white thorn, it prospers, and produces fruit three times as large as those which are not grafted at all, and almost the size of small apples." The medlar, though it grows in all parts of Europe, is cultivated chiefly in Italy and Holland. While most other fruits have been carefully cherished and brought to perfection, this, like the service-tree, has been neglected, probably on account of the incapacity of these two species to be essentially improved by culture.

We pass from these almost unknown and unimportant species to the Apple (*Pyrus malus*), — the most valuable of all Northern fruits. The apple was one of the first fruit-trees planted by our ancestors, who could not in the wilderness raise those fruits that require the skill of the gardener. Apples were introduced into Italy from Media, according to ancient authors. This may be true of the first improved varieties, but the species is indigenous in all parts of Europe, Northern Asia, and North America. The English name of this fruit was derived from the Latin name of one of the ancient varieties, — the Appiani of the Romans, afterwards called Appia and Appiole by the Italians. The apple was

very highly prized by the ancient Romans. According to Pliny, "there were many apple-trees in Rome that let for the yearly sum of two thousand sesterces; and some of them yielded more profit than a small farm. Hence originated the invention of grafting. There are apples that have ennobled the countries from which they came; and many apples have immortalized their first founders and inventors."

Persoon enumerates five species, or sub-species, of the apple; — the Sylvestris, or wild-apple; the Prasomila, or pippin; the Castanea, or chestnut-apple; the Aprisa, or ape-apple; the Cavilla, or cornered apple. To these may be added the Prunifolia, or Siberian crab. In North America are found two native apples, the *Pyrus coronaria*, or Virginia crab, bearing a small fruit and fragrant rose-colored flowers, and the *Pyrus angustifolia*, found in the Middle States, bearing small leaves and fruit. The common apple-tree is found also in a naturalized wild state in almost all parts of North America.

The Pear (*Pyrus communis*) was known and cultivated at as early a period as the apple, and has been multiplied into a still greater number of varieties. This tree is indigenous in all the mountainous parts of Southern Europe, and among the ancients as well as the moderns it was the favorite fruit of the amateur pomologist, on account of its great susceptibility of modification and improvement. As early as the time of Gerard, the varieties of the pear had been greatly multiplied even in England. He mentions one of his neighbors who had, in a single piece of ground, "threescore sundry sorts of pears, and those exceeding good"; and Phillips, in his "Pomeranium Britannicum," speaks of a person, in 1820, who had two hundred and thirteen kinds of pear-trees.

The pear-tree is probably more southern in its origin than the apple-tree; for though the two trees are almost equally hardy when they have attained a good size, the young seedlings of the pear require more protection in the winter. It appears also, from the experience of American cultivators, that the pear can be raised with more general success in the Southern States than the apple. It is said that the twigs of the pear-tree were boiled with mushrooms by the ancient Romans, to correct their poisonous effects; the ashes of the pear-tree

were formerly used in England for the same purpose, and hence probably originated the notion among the English people, that *perry* is the best liquor to be used after eating mushrooms.

The Quince (*Pyrus Cydonia*) is one of the luxuries of the garden which is seldom eaten in its raw state. Quinces were anciently common in Palestine, and were highly valued for their odor, as appears from the testimony of the Bible; and they are used at the present day, by the peasantry in the South of Europe, for perfuming their linen. The quince is not inclined, like the apple and pear, to "sport" into varieties, of which there are not at the present time more than four or five. Not one of these sorts is mellow; but they are all extensively used for culinary and confectionery purposes. Some writers maintain that quinces, not oranges, were the golden apples of the Hesperides, saying that there was discovered at Rome a statue of Hercules holding in his hand three quinces. This agrees with the account in the fable, that Hercules stole the golden apples from the garden of the Hesperides. The nuptial apple, prescribed by Solon, and with which were decorated the statues of the gods who preside at the nuptial bed, was also a quince. The quince grows wild in many parts of Southern Europe, though it is supposed to have originated in the Island of Candia, once called Cydonia, which is the botanical name of the species. The quince requires a long summer to mature its fruit, which is of slow growth, though the tree seems to be perfectly hardy. In some of the southern districts of England quinces are raised in great abundance for the manufacture of wine.

Among the wild fruits of America allied to the apple and the pear, the tree known by the names of June-berry and Shadbush, the *Amelanchier ovalis* of Torrey and Gray, deserves mention from the importance of its fruit. This fruit ripens in June; it is pear-shaped, of about the size of a common gooseberry, and of a pleasant flavor. Dr. Darlington says that it is greatly improved by culture. This species naturally multiplies into varieties, of which there are great numbers in our Northern forests. Dr. Richardson says it is abundant on the sandy plains of Saskatchewan, where it is

highly prized by the Cree Indians. Far north this plant becomes a tree of middle size, but it is smaller in lower latitudes, until in Pennsylvania it is only a bush from two to five feet high.

The Peach-tree (*Amygdalus Persica*) is supposed to be a native of Persia, and was probably well known in the East long before it was introduced into Europe, about twenty years before the age of Pliny. It is remarkable that the peach has never yet been found in a wild state, either in Persia or in any other country; and botanists are still in the dark concerning it. Some are of opinion that its native region remains still to be discovered; others trace its origin to some species of the almond. This last supposition, though apparently absurd, is rendered less improbable by an experiment of Mr. Knight, who procured a new peach by impregnating the blossom of an almond-tree with the pollen of the peach-flower. The almond that sprung from this blossom, when planted, vegetated, became a tree, and has since ripened peaches. The identity of the two species is certainly rendered probable by the result of this experiment. The peach-tree is rapid in its growth, and is generally short-lived, though instances of considerable longevity are not uncommon. Phillips remarks that he has seen peach-trees bearing fruit abundantly when they were between forty and sixty years old. In this country, north of thirty-six degrees, the peach-tree is liable to be killed by severe winters; but south of that parallel, where it is secure from excessive cold, it attains a great age.

The Nectarine is only a variety of the peach. Pliny says that, of all peaches, the one most admired in Rome is that named *Duracina*, from the solid character of the pulp. He has evidently, under this name, described the nectarine, which is distinguished from the peach by the firmness and fineness of its pulp, and the smoothness of its skin. Well authenticated instances are on record of nectarines and peaches growing on one branch without any artificial cause.

The Plum (*Prunus domestica*) includes innumerable varieties of a well-known species, supposed to have been produced from the *Prunus insititia*, a common indigenous tree in the mountainous parts of Asia, closely allied to the European

sloe, — *Prunus spinosa*. There are so many original species of the genus *Prunus*, that it is hardly philosophical to trace all the cultivated varieties to a single source; especially as some of these varieties are sufficiently distinct to be considered different species. There are several species indigenous in North America: of these the most remarkable are the Beach plum (*Prunus maritima*) and the Canada plum (*Prunus Americana*). The beach plum is a mere shrub, seldom more than three or four feet in height, and found chiefly in rocky and sandy soils within twenty miles of the coast. The fruit is globular, varying in color in different trees from crimson to purple, and agreeable in flavor. It is used extensively by the inhabitants of Plymouth County. The other native plum is a much more important species, which has been very generally cultivated in certain sections in the interior. The tree has about the size of the common plum-tree. Mr. Emerson remarks: "The fruit, which is often an inch in diameter, is sometimes sweet and pleasant, but usually rather austere, and used chiefly for preserving in sugar; but much improved, according to Dr. Darlington, by cultivation." This fruit is vulgarly called "Plum granates" in the State of Maine.

The Apricot (*Prunus Armeniaca*) is supposed to be of Armenian origin, though it is said not to be indigenous in Armenia. It is allied to the plum as the nectarine is to the peach. This fruit was known at a very early period, but has always been valued chiefly for its odor, being inferior in most respects to the best varieties of the plum. The apricot-tree is easily cultivated, and sows itself readily in the southern parts of Europe and the United States. Though it is hardy, a northern climate is unfavorable to the ripening of its fruit.

The Cherry-tree was formerly included in the genus *Prunus;* but was separated by De Candolle into a distinct genus, *Cerasus*, which comprehends about forty well-defined species, natives of all countries in the northern temperate zone. Ten or twelve species are found in North America, of which four or five are indigenous in the Northeastern States. This genus is arranged into two sections; the first bearing its flowers in umbels, like the common garden cherry; the second, like the black wild cherry, bearing its flowers in

racemes. The first includes the only species which are susceptible of any considerable improvement by cultivation.

The cherry-tree of our gardens, according to Pliny, was found by the Roman general Lucullus, in Cerasus, a city of Pontus which he had conquered from Mithridates. Lucullus, who was so great an epicure in all kinds of luxury and ostentation as to incur the censure of Cato and of his biographer, Plutarch, introduced this tree into his own gardens about 68 B. C. "In less than twenty-six years after," says Pliny, "other lands had cherries, even as far as Britain beyond the ocean." This record of Pliny must have had reference to a certain cultivated sort, as the cherry-tree is indigenous in Europe, and must have been common in Italy long before the birth of Lucullus.

In all parts of Europe, and in the Northern and Middle States of North America, the different varieties of the cherry thrive well, and produce an abundance of fruit. But it is one of the few Northern fruits that cannot be profitably raised in the Southern States; and it must be affected, therefore, more by latitude than by other circumstances of climate, as it thrives well in the South of Europe, where the climate is warmer than in the Southern States of America. Pliny says that "the cherry-tree could never be made to grow in Egypt, with all the care and attention of man."

Of our native cherries there are two species that might be made useful as stocks for grafting, or for raising new varieties. These are the Northern red cherry and the sand cherry, from which dwarf-varieties might easily be obtained for training to a wall. Emerson advises the planting of the Northern red cherry in the borders of our fields for the use of the birds; because it ripens its fruit before the black racemed species, and would prevent their depredations on the gardens. The cherry, on account of the early ripening of its fruit at a time when the acidulous fruits are among the necessaries of life, during midsummer, is one of the most valuable trees of our orchards. It may be considered as chiefly instrumental in supplying in summer the want filled in autumn and winter by the apple.

The Mulberry-tree (*Morus*) is used at the present day for

feeding silkworms rather than for its fruit; yet it is remarkable that the mulberry, which is now almost universally disregarded, was more esteemed by the Romans, even in their degenerate days, when they were the best judges of such matters, than any other fruit. It is remarked by Evelyn, in his "Sylva," that the mulberry-tree possesses the peculiar property of breeding no vermin; neither does it harbor any caterpillar except the silkworm. Indeed, we may remark that the silkworm seems to enjoy a monopoly of this tree, as if nature had bestowed it especially upon this insect for the benefit of mankind. The mulberry blossoms late and ripens early; and it is said that, when trained to the south side of a wall, the fruit becomes much larger and finer than when it grows upon a standard. It well rewards any special care bestowed upon it, though it does not incline to sport into varieties. The only species indigenous in North America is the red mulberry (*Morus rubra*), which is found in most parts of the continent south of Lake Champlain. It is a large tree in favorable situations, rising sometimes to the height of sixty or seventy feet. The best fruit is the product of the red and the black species, the *Morus alba* and *Morus multicaulis* being used only to feed silkworms.

Of all cultivated fruits the Grape has been the most celebrated; but the extraordinary value attached to it has come from its importance in the manufacture of wine. Considered merely as an edible fruit, there are several species that deserve preference; it being not so indispensable to our wants as the apple, and as a luxury not equal to the pear or the peach. But the labors and amusements of the vintage have been so intimately woven with pastoral poetry, that the vine has obtained an influence over the imagination greater than any other plant. Unfortunately for the inhabitants of Northern climates, the grape ripens its fruit at a time when our greatest need of an acidulous fruit has passed; but it possesses the property of keeping well during the winter. The use of this fruit when converted into raisins gives it also a high commercial importance, as furnishing the most valuable of all dried fruits.

Mankind seem to have always made the worst possible use

of the gifts of providence, and the grape has been dedicated to Bacchus rather than to Hygeia. According to Phillips, "the planting of vineyards in Italy had so much increased about the year 85 A. D., that agriculture was thereby neglected; on which account Domitian issued an edict prohibiting any new vineyards to be planted in Italy, and ordered at least one half of those in the provinces to be cut down." This edict, which is probably one of the first temperance laws on record, was issued before the unfortunate discovery of the art of making distilled spirits. The evil arising from the excessive production of wine must have been vastly less malignant than the modern evil of rum, whiskey, and their allied products. If Domitian were ruler in the United States, with the same powers he held at Rome, his proscriptive edict would be launched against the manufacture of the latter, and he would encourage the production of wine, as physicians inoculate their patients with the vaccine disease to preserve them from the small-pox.

The notion of the healthfulness of vinous and spirituous liquors will, at some future advanced era of civilization, be classed with the present obsolete notion of the unwholesomeness of fruit. But we are not disposed to proscribe the grape on account of the use that may be made of it for evil; as we would not proscribe rye and barley on account of the still more pernicious products distilled from these grains. The testimony of physicians in favor of the moderate use of wine can always be obtained by those who wish to believe that their gout or paralysis is not owing to their intemperance; but the age of perfect civilization will never come upon earth until Bacchus is everywhere dethroned.

Several species of the vine are indigenous in North America, extending so far north that, in its highest limit, it cannot ripen its fruit before it is cut down by autumnal frosts. The cultivation of the grape deserves encouragement in all parts of the country where the climate is suitable to it; but the aim of those who are interested in the general good should be to obtain hardy sorts and early bearers. The forcing of tender varieties in hothouses is a very harmless amusement for rich men; but it is one in which the public is not interested.

It remains to speak of those fruits which are the product of low shrubs, and are generally classed under the denomination of berries. Of these the Currant (*Ribes*) is of the first importance. This was probably unknown in the gardens of the ancients, as we have no account of it in the writings of the Greeks and Romans. By the Northern nations, however, it was undoubtedly used, if not cultivated, at the earliest periods. It is a native of the northern temperate regions of Europe, Asia, and America; but it is not found in any tropical or sub-tropical latitudes, and will not thrive in a warm climate. The red currant (*Ribes rubrum*) is the most valuable species; including the white and the salmon-colored fruit as varieties incident to culture. This species is found wild in America as well as in Europe, but there is reason to believe that it was not indigenous here. All our well-attested indigenous species are sub-species of the Black currant (*Ribes nigrum*). The Missouri currant (*Ribes aureum*) is a separate species, cultivated for ornament, and for the beauty and fragrance of its flowers. De Candolle describes more than fifty distinct species of Ribes, of which more than half are natives of North America. This genus is divided into two sections, those bearing their flowers and fruit in racemes, included under the denomination of currants; and those bearing their flowers in small umbels or clusters, included under the denomination of gooseberries. Of these the former are generally smooth, the latter armed with thorns or prickles. It is worthy of remark, that, in the case of the Ribes, as in that of the cherry, the only kinds susceptible of much improvement by culture are the umbelled kinds, the racemed species of either genus being nearly the same in gardens as in their wild state.

The black currant is not so generally used, nor is it so acidulous and agreeable, as the red currant. It has lately been much improved by culture, and some varieties of it are held in great esteem for confectionery purposes. In Russia, where black currants grow to the size of hazel-nuts, they are used for wine. Jellies made from them are in great repute for diseases of the throat; but at the present day all fruits are classed by intelligent physicians in the same category, as refrigerant and antiseptic articles of diet, useful for their

nutritive properties, but having no specific medical virtues. Currants may be classed among the most valuable of our small fruits. They are easily cultivated, growing almost without care from a slip set in the ground. They are also very uniformly productive, and are not injured by frost at any season. They ripen early, and will hang upon the branches a long time without decay or loss of flavor. Red currants, ripe on the first of August, will in an ordinarily dry season keep perfectly well on the bushes until October.

The Gooseberry (*Ribes*, sub-genus *grossularia*) is a favorite fruit with British and Dutch cultivators, who have long made it a subject of special care. Like the pear, it is naturally inclined to sport into varieties, differing in this respect from the red currant, and the cold and moist climate of Great Britain is agreeable to its constitution and habits. In its wild state it is small; but it has been improved by the ingenuity of English and Dutch gardeners to the size of large grapes. This fruit is highly prized in England for culinary purposes in its green state, and as a dessert when it is ripe.

Of the Rubus we have three distinct kinds: the Raspberry (*Rubus Idæus*), the Thimbleberry (*Rubus occidentalis*), and the Blackberry (*Rubus hispidus*); and each of these has several allied species and innumerable varieties. The raspberry and the blackberry only were known to the ancients, the thimbleberry being an American plant. Being Northern fruits, they did not prosper in the climate of Italy, and accordingly were very lightly prized. The raspberry and thimbleberry are more susceptible of improvement by culture than the blackberry, of which the best wild sorts have never been surpassed by any of the products of cultivation. The blackberry, of which there are three or four leading species, is found multiplied in our fields into hundreds of varieties, occupying every perceptible stage from the European species, *Rubus hispidus*, — the true high blackberry, — down to the little evergreen dewberry, that bears a fruit no larger than a pea. The earliest species is the common trailing sort, *Rubus Canadensis*, an indigenous plant.

The Strawberry (*Fragaria*), though an herbaceous plant, is closely allied to the Rubus, resembling the raspberry in leaf

and fruit. Gerard speaks of three kinds — the Red, the White, and the Green strawberry — as common in England, but considers the red strawberry as the only indigenous species. The green strawberry, now regarded as worthless, was called the Pine-apple strawberry, from its excellent flavor. The varieties of the strawberry have been multiplied almost beyond enumeration. In 1820 Mr. Knight stated that he had not less than four hundred varieties in his garden, many of them the products of his own skill. Yet of these, and of the much greater number since produced, about ten or twelve might be selected which would represent all the others; that is, all the remainder, so far as the human senses are able to determine their qualities, could not be distinguished from some one or other of these.

It is remarkable that the flavor of the strawberry is not improved, like that of many other fruits, by cultivation, which gives it only increased size and greater productiveness. It is also worthy of remark, that the fruits which have been carried to the greatest degree of perfection by the arts of the pomologist, are those which are good for nothing in their wild state. Such are the apple, the pear, and the peach. The first two are known as being almost uneatable in their primitive condition; and though the wild peach has never been discovered, tradition represents the original fruit as worthless, and even poisonous, and no more fit to be eaten than the rind or pulp that encloses a hickory-nut. The strawberry, and the different species of Rubus, being all delicious fruits in their natural state, cannot be materially improved by culture. According to this principle, the Chokeberry would better reward any efforts that might be made to improve it than the Whortleberry.

The Barberry is known in this country only as a wild plant; but it is so common on our hills and our rustic waysides, that every one is acquainted with its fruit. It is an elegant shrub, at all seasons; in the spring, when crowned with flowers, in summer, contrasted with paler verditure, and in autumn, when its clusters of scarlet fruit are succeeded by a tinted foliage of the same hue. It is indigenous in New England, Canada, and Newfoundland, especially along the coast. Some botanists think it was originally introduced from Europe, but there

seems to be a certain specific difference between the European and the American plant; as people in Europe are cautioned against cultivating the barberry near their houses, on account of the disagreeable scent of its flowers, which are extremely offensive. As this cannot be said of the American plant, the two are probably not identical. Mr. Emerson writes: —

"The barberry is admirably well adapted to enter into the composition of a hedge, from the multitude of its shoots and the sharpness of its spines. There is, however, in this country as well as in England, a prejudice against it, from the belief that it produces the blight in wheat. Prof. Martyn urges against this opinion the fact that it abounds in the hedges of Saffron Walden, in Essex, England, which enclose fields in which wheat is cultivated constantly and with entire success. And Dr. Greville, in his 'Scottish Cryptogamic Flora,' has shown that the mildew which attacks the barberry (*Œcidium berberidis*) is quite different from the fungus which occasions mildew in wheat, which is a kind of Uredo, entirely remote in its botanical characters from an Œcidium." — p. 523.

As an ingredient in a miscellaneous hedgerow — for a clipped hedgerow, which is one of the most obnoxious remains of the topiary art, ought not to be tolerated in a Christian community — the barberry is particularly worthy of cultivation. The fruit, though not containing so wholesome an acid as the currant or the cranberry, is a good substitute for the latter, and is highly prized for many culinary purposes. The barberry is supposed to be the fruit called Appendices by the Romans. Pliny says: "There is a kind of thorny bush called *appendix*, having red berries hanging from its branches, which are called *appendices*."

It remains to speak only of the *Vaccinieæ*, including the Whortleberry, the Bilberry, and the Blueberry, which, though they have never been cultivated, are of great importance in all the Atlantic States, especially in New England. In the United States there are more than twenty distinct species, and endless intermediate varieties. They abound in all parts of the coast, from Maine to Florida, but are most numerous in the North-eastern States. They are also found in some of the tropical islands in this hemisphere. A few species are indigenous in Europe; and no less than fifteen varieties were introduced

into England between the years 1761 and 1796, and have extended over a considerable part of the island. The whortleberry "grows on the most wild and heathy commons and uncultivated hills. The fruit seldom reaches the London market, although it is much admired by many people in their tarts and with cream. The berries are gathered by the children of the cottagers, and by them carried to the nearest market-towns, and often in quantities that load several asses." No efforts have been made to cultivate any of the Vaccinia, and it is doubtful if the genus is susceptible of improvement by culture. Many of the species yield an excellent and valuable fruit; and if not cultivated, they should be domesticated by planting them as a part of a miscellaneous hedgerow, or border shrubbery, around our fields and pastures, where they thrive admirably well, and produce an abundance of fruit. They are likewise very ornamental, both when in flower and when in fruit, but chiefly when they have attained their bright autumnal tints, in which they surpass almost all other trees and shrubs. The common Swamp Blueberry (*Vaccinium corymbosum*) is the most valuable for this purpose, especially as it produces the best fruit of all the genus. The vulgar name of Huckleberry given to this fruit, being less euphonious than that of Whortleberry, and also incorrect according to the rules of orthography, deserves to be repudiated by all correct speakers and writers. When custom, by deviating from propriety, has evidently improved a word, we may adopt the change as a step towards the gradual perfection of our language; but when, as in changing *whortleberry* or *hurtleberry* to *huckleberry*, we substitute, for a word that is both legitimate and pleasant to the ear, one that is both disagreeable and incorrect, the change ought to be repudiated. A strange fancy has prevailed for some years past among literary men to adopt and sanction certain vulgarisms; by such a taste our language is seldom enriched, certainly never improved.

The Cranberry was formerly classed with the Vaccinia, but it has lately been separated into a distinct genus, under the euphonious name of *Oxycoccus*. This genus contains three species: the European cranberry, *Oxycoccus palustris*, differing from the American species chiefly in its smaller size,

the American cranberry, *Oxycoccus macrocarpus*, and the Bush cranberry, *Oxycoccus erythrocarpus*, found on the mountains of the Southern States, and bearing fruit of a very superior flavor. The cranberry was first cultivated by Sir Joseph Banks, who obtained in one year (1818) from a bed about eighteen feet square three and a half bushels of berries. Since that date the cranberry culture has been a special object of attention among horticulturists, though no attempts have been made to obtain new varieties. The cranberry has lately become an important article of commerce, and deserves particular attention, both in a commercial and a dietetic point of view. It seems better than any other fruit to supply the want which is felt in the spring, before the early fruits have ripened, and when it still retains all its original flavor. It loses none of its vivacity by keeping, and it is remarkable, that, after it has lain in the meadows all winter, and become softened by the frost, it suffers simply a disorganization of the pulp, without any decomposition, and with an actual improvement in flavor.

There is a custom prevalent in Germany, which ought to be imitated in all parts of the civilized world. We allude to the practice of planting the roadsides with fruit-trees, the cherry being the tree most commonly used for this purpose. The product of these trees is for the free use of the public. Were our States and towns to follow this example, we should have less complaint of the depredations of robins and other birds in our fruit-gardens; and, above all, the children of the poorer classes would be supplied with fruit at a season when they suffer very keenly from the want of it, and when the public health would be greatly promoted by its use. Cherry-trees are as good for purposes of shade and ornament as most of our forest-trees; and if they were half as numerous as other shade-trees upon our by-roads, they would be secure from injury, because there would be no such scrambling for their fruit as at the present time is almost fatal to the few solitary trees which have accidentally come up by the roadside. If one half the energy and expense which for the last twenty years have been wasted in a ridiculous mania for ornamental grounds, often producing an actual defacement of the landscape, had been

spent for this benevolent purpose, we might have been able to supply the whole community with summer fruit by the products of the roadsides.

With regard to the healthfulness of acidulous fruits, volumes have been written on both sides, and we will briefly review some of the opinions and facts which the controversy has called out. We do not, as in ancient times, employ fruits as specifics for the cure of disease; nor do we, as in ancient times, caution people against the use of them as articles of diet, from their supposed injurious effects. It is left, in the present age, to quacks and the venders of patent nostrums, to offer as specifics simple syrups prepared from different kinds of fruit. But while we admit the inefficacy of fruits as medicines, we do not deny their efficacy in preserving health, nor their restorative virtues, as bread and meat are restoratives to a person who is half starved, or vegetables to one who is affected with the scurvy. Fruits are medicines in no other sense than as beef and mutton are medicines to a convalescent who is recovering from a fever.

In the eighteenth century almost all men believed fruits to be unwholesome; but it is worthy of notice that, at the same time, very few doubted the wholesomeness of the wines and spirits that were prepared from them. The doubts formerly entertained of the wholesomeness of fruits arose from the intemperate habits of society. When all men, as in the last century, used wines and ardent spirits freely as a common drink, these induced a condition of the stomach and other vital organs that caused fruit to be injurious to them. If we were to drug robins with wine or whiskey, they would not steal our cherries; and men who drink these liquors freely have in general no appetite for fruit. Not that wines or spirits perform the services which are derived from the use of fruit, but they produce an abnormal condition of the system, demanding the use of a stimulating and vigorous diet of bread and meat, and incapacitating the digestive organs to assimilate acidulous fruits. When an habitual winebibber or brandy-drinker partakes of fruit, it is curious to observe how carefully he selects a sort that is very sweet and mellow. He prefers a sweet pear or peach to any very acid fruit. He pares it nicely with his penknife,

to occupy time, and eats only a few slices of it. Some fruits that would be taken with eagerness by water-drinkers set his teeth on edge, and he considers them fit only for swine. Though he may not complain of dyspepsia, his stomach revolts against any very acid fruit. If we see a man enter a garden and eat freely of currants, we may be sure he is no drunkard. Mr. T. A. Knight remarks: —

"I am disposed to connect some degree of importance to the production of crops of fruit to supply our markets at a moderate price during the winter and spring; for it has been often observed, that great manufacturing towns have generally been more healthy in seasons when fruits have abounded than in others; *and the same palate which is accustomed to and pleased with sweet fruits is rarely found to be pleased with spirits or strong fermented liquors.* Therefore, as feeble causes, which are constantly operating, ultimately produce very extensive effects on the happiness of mankind, I am inclined to hope and to believe that markets abundantly supplied at all seasons with fruits would have a tendency to operate favorably both on the physical and moral health of our people."

In accordance with these observations, modern experience has proved that acidulous fruit corrects that state of the system which requires an antiseptic diet, and thereby diminishes the thirst for vinous beverages.

Wine and spirits also, on their part, by their antiseptic qualities, counteract so much of the appetite for fruit as proceeds from the morbific properties of certain kinds of aliment. If a person has partaken freely of animal food, its putrescent effects are counteracted by alcoholic and vinous liquors, so that a wine-drinker requires but little fruit to meet the wants of the system. A temperate man, on the other hand, counteracts the effects of animal food by the use of acidulous fruits. "Why not, then, use wine or whiskey instead of fruit for this purpose?" Because these beverages produce permanent evil effects greater than the temporary ills which they correct, while simple fruit, along with its antiseptic properties, excites the most beneficial action in the system, and affords a healthful nutriment. It is worthy of remark, that we can procure some of the invigorating effects derived from beef and mutton by using along with a vegetable diet very minute quantities of

arsenic. But what sensible man would, on this account, recommend arsenic, instead of animal food, as a desirable means of preserving strength and activity?

All our edible fruits are salutary articles of diet, supplying a certain class of alimentary wants, as another class of wants is supplied by fish and flesh, and still another class by bread and vegetables. Animal food is valuable chiefly for its azote, farinaceous food for its carbon, and acidulous fruit for the oxygen contained in the vegetable acids. Although oxygen is conveyed to the system chiefly through the lungs, yet a certain proportion of it, especially in hot weather, needs to be conveyed through the alimentary organs. Fruits differ from one another no more than the different cereals differ from one another. The distinguishing properties of flesh are proportional to the gluten it contains; of bread, to the farina it contains; and of fruits, to the acid they yield in an edible condition. Fruits are diluent in proportion as they are mellow and juicy; they are nutritious in proportion as they are sweet and mucilaginous; for the quantity of farina among their ingredients is too small to be taken into the account. The most diluent and refrigerant are grapes, currants, cherries, and the like; the most nutritious are peaches, figs, and sweet pears and apples. All, or nearly all, the pulpy fruits contain sufficient proportions of the ingredients that supply the various wants of the animal system, to enable a healthy person to sustain life and strength upon a frugivorous diet alone, in a hot climate. The fruits which are thus employed by the natives of tropical countries are the sweet and mucilaginous kinds, as dates, figs, and bananas. We do not hear of men living exclusively upon juicy and acid fruits.

It is remarkable that nature in all cases protects the kernel of edible fruits. Animals are prevented from eating the leaf of the cherry-tree by its bitterness, while they are enticed to eat the fruit by its agreeable pulp; at the same time, the kernel is screened from the action of the stomach by a hard shell. Nor is this its only protection; for when it is just escaping from the shell, in the first stage of germination, its bitter flavor prevents the birds from devouring it. It may be objected, that this law does not apply to another class of

fruits, such as walnuts, acorns, and hazel-nuts. Nature has made the kernel of these nuts agreeable and nutritive in order that they may be eaten; and yet when eaten they are destroyed. A little reflection will explain the difference, and illustrate both the wisdom and benficence of the law by which it is regulated. While the inner shell is soft, the kernel is protected by an outer rind that is intensely bitter and nauseous. When the inner shell has become hardened, and the kernel is ripe, it is secured from the voracity of most animals by the hardness of the shell. The only animals that can obtain the kernel of the walnut are the rodents, including the squirrel family. But to prevent their utterly consuming and destroying the seed, nature has given these animals a hoarding instinct that causes them to be the planters, and thus the preservers, of the trees whose fruit is their principal subsistence. The squirrel instinctively buries under the earth all the nuts which he finds and cannot eat; and it is remarkable that the nuts thus buried are almost the only ones that germinate, for walnuts and acorns that lie on the surface of the ground are soon spoiled by rain and frost. The hog, while consuming acorns, performs the same service in another way, covering a considerable part of them while rooting and turning up the soil.

Though we advocate the use of fruits as articles of diet, and not as ingredients for the manufacture of wine and kindred products, yet there are certain considerations that show the expediency of raising fruits for this collateral purpose. On account of the present enormous evils arising from the use of distilled liquors as common beverages, and the tendency of wines, including cider and perry in this category, when common and cheap, to take the place of such liquors, Dr. Kennicott of Illinois has recently recommended, in a paper read before the Pomological Society, a more extensive grape and apple culture. It might seem dangerous to cherish a minor evil as a substitute for a greater evil, which cannot otherwise be expelled. Still it must not be overlooked, that a large part of the ethical code consists of rules for determining our choice between two or more evils. Dr. Kennicott considers the culture of the apple and the grape as connected, in the

manufacture of wine and cider, with the cause of temperance in a way that would essentially promote it, inasmuch as it would cause fermented liquors to be used in the place of the more pernicious distilled liquors. He recommends the grape, in particular, for Illinois, because the soil and climate of that State are eminently favorable to the culture of the vine. He remarks, that his countrymen are not a healthy people, and he believes their use of whiskey to be the chief cause of their ill health. There is less intemperance and less sickness in wine countries, than in those where distilled spirits are freely used. Here the poor man, he says, drinks whiskey, because it can be easily and cheaply procured, and because it is often urged upon him in exchange for corn. The fatal consequences of the use of whiskey, he adds, are so gradual, that its victims are seldom aware that their diseases are caused by it; but physicians know, and those who are honest will acknowledge, that a startling percentage of the annual deaths may be traced to whiskey. The acquired appetite for narcotic stimulants urges men to seek for some kind of alcoholic beverage; and the cheapness of the article presented often decides their selection, because they are too ignorant to understand why distilled spirits are more pernicious than wine or cider. Dr. Kennicott therefore advises that "physiology should be taught in our common schools, as well as sufficient chemistry to show our children the constituents and nature of animals and plants, as well as of the food that nourishes them. Mankind will then see that alcohol contains no necessary nutriment, and that its action on the system is always pernicious and often fatal."

If pure wines could be made as plentiful and as cheap as in the wine districts of France, rum and whiskey would soon be expelled from our bar-rooms and from our cupboards; and this change "would immediately add twenty per cent to the average longevity of our laboring population," and a still greater percentage to that of the other classes. To avoid being misunderstood, Dr. Kennicott remarks: "I very much doubt if wine, or any other stimulant, ever adds aught to the sum total either of physical or mental energy and usefulness, though it may add much to both *under certain circumstances*

of depression for a short given period." He claims, therefore, "not that wine is necessary, or very often useful, except as a substitute for more pernicious beverages and questionable medicines in general use. We should be healthier, happier, longer-lived, and more intellectual, were we to abandon the use of all stimulants and narcotics."

With regard to the merits of the book under review, as a standard work on pomology, it is only necessary to say, that it is the result of more than twenty-five years' experience of the author in the capacity of a practical cultivator and editor of the "Magazine of Horticulture," a publication which has long been regarded as of the highest authority. But while conceding to it this superior merit as a standard work on the subject which it treats, it deserves public favor on other accounts. It is a work which, by reason of its cost, cannot be popular, and must depend chiefly on rich men and on societies for its support. The pecuniary risk of the author, at whose expense it is published, is very great; and a considerable amount of capital has already been sunk in the enterprise. All those persons, therefore, who feel interested in the subject of the work, are under obligations to do their part towards sustaining it. A book of fruits might be got up by an author who possesses a knack at making compilations, without any experience as a cultivator; and several editions of it might be sold, to the great pecuniary advantage of the publisher, during the time which would be required to prepare, print, and publish a single number of Hovey's "Fruits of America."

The public is not yet sufficiently able to discriminate between these two classes of publications. Indeed, men are too apt to measure their obligations to an author by the amount of money which he has gained by his enterprise, rather than by what he has sacrificed. It will be admitted, that, if an author has written a stupid work, which nobody can read and nobody will buy, and which contains nothing worth reading, its want of sale and its want of popularity may be considered a true measure of the obligation due the author from the public. But if a publication of the highest merit in its department fails to become popular, and is unsalable,

either because the masses cannot appreciate it, or because it is too costly, — under these circumstances all wealthy and intelligent citizens should consider it their duty, if not to reward the author, to contribute their aid in sustaining his work.

Such a work is Mr. Hovey's "Fruits of America." The author will probably never be fully compensated for the capital which he has expended on it; and it may be that his ambition or his enthusiasm will not suffice to induce him to make continued sacrifices at the risk of continued losses. For the credit of this community, — considered as a patron of art, science, and letters, — such a work ought not only to be well sustained, but to be made profitable to the author. It would be signally disgraceful to the public if it should be allowed to stop before its completion, while other works not equal to it in merit have been both salable and profitable.

ART. VI. — *Salome, the Daughter of Herodias. A Dramatic Poem.* New York: Putnam. 1862. 12mo. pp. 251.

IN Landseer's picture of Peace, there is seen dimly in the heavens a hawk pursuing its prey, and in his picture of War stands, amid death and ruin, a delicate flower. Each scene thus contains the hint of its opposite. This flower, its fresh beauty looking strange and all the sweeter amid the wrecks of war, was suggested to our thought, as, amid the tumults and excitements of the time, the poem, the title of which stands at the head of this article, came to us. Like that, it tells nothing of the hand that planted and reared it. Bearing no trace of what is going on around it, it speaks of a growth in quieter and happier days. It is thus evidently no hastily got up and carelessly published work. Even Tennyson could not keep the Crimean war out of his Maud. "Salome" has its horrors, its strifes, but these are softened to us by time, and bear no mark of our present turmoil. We do not mean

to praise a writer for keeping the momentous interests of his time out of his works. We merely wish to point out this first occurring mark of elaboration in the poem before us. It bears other and deeper marks of the same care. There is no trace of haste or superficialness about it. We think we perceive tokens of youth in it, but it is earnest, enthusiastic youth, having faith in its dreams and in itself. The poem has faults and extravagances, as we shall see; but it has also power, — we had almost said, genius. But for this word we must wait. The first poems of Tennyson, the first plays of Shakespeare even, taken by themselves, we should not call works of genius. Looking at them through later works, we see genius in them. Other first productions seem to bear the marks of a genius which the author subsequently belies. It is what a man does afterward that determines the permanent place of his first production. Blame turns to praise, or praise to blame or forgetfulness, according as his later development shows what is in him, and thus what is in his works. Genius needs a large head and a large heart, imagination, sympathy, common sense, and, above all, persistency. If the writer of "Salome" has this last quality, we may some day write the word *genius* in connection with this poem. For the present we must wait.

For a poem, especially a tragic poem, much depends on the choice of a subject. We say advisedly "the choice." Poets, creators though they be, choose, rather than create, the story which their genius is to illustrate. No criticism is more shallow than that which demands originality here. The story of Goethe's Faust was familiar to the stage, even to the puppet-show. Shakespeare borrowed his plots where he could. The Greek dramatists took theirs from the history and mythology of their nation. Different poets took the same plot, and rewrought it, bringing out new harmonies and variations, as the musical composer treats some familiar theme. The dramatist appeals to the heart of the people. If he can adopt some *motif* that has already found a lodgment there, and can be true to it, he is so much the more sure of success. The more common, the more familiar be this theme, the better; and the more sacred, the better still. Our sacred

history and our dramatic literature do not naturally fit together. Not so with the Greek. The Greek mythology was large and vague. The Greek tragedy was also vague and passionate. It did not descend to minuteness of detail, or mingling of emotions. It was simple, statuesque, superhuman. Our sacred history has its details. Our dramatic literature has its details, more minute than those of the history, and of a different nature from it. We will have no variation in the incidents of the life of our sacred personages. We will not even have addition. The new cloth does not correspond with the old garment. We will not have the simple calmness of these lives disturbed by varying emotions and events.

The story of Salome unites the familiarity and something of the peculiar interest of sacred history, with the freedom of profane. The figures of the story were as familiar to our childhood as those of Mary and Joseph, yet the poet may take what liberty he pleases with them. Salome is a bright-winged fly caught in this golden amber that sheds a certain divine halo about it, yet nothing but a fly. But this story is not merely incidental to the more sacred events and characters. It is the tragic collision of the gayety and voluptuous pleasures of the world with the stern morality of the Gospel. Elsewhere we see pride, priestcraft, and superstition coming against it armed with swords and staves and cries of hatred. Here we see the world coming graceful and smiling, armed only with beauty, yet none the less deadly. There is something sublime in the sudden passage from mirth to terror, — beauty face to face with death, revelry changing to a shudder, the gay music ending in the frightful discords of horror and crime.

The principal figure in the story is of course the daughter of Herodias. The central scene is that which Guido, guided by the unerring instinct of his genius, selected to embody in one of his best-known works, the daughter of Herodias with the head of John the Baptist. If we try to fill up the outlines of the story, the external details are sufficiently obvious, and are such as offer themselves naturally to dramatic use. We see the love, the passion, the adoration, that must follow her whose grace and beauty forced from the heart of the king

the promise to give her whatever she should ask, even to the half of his kingdom. We see the brightness of the halls, the mazy beauty of the dance, the flush of pride at her triumph; we can imagine the wishes crowding up from her heart, each eager to take advantage of the proffered grace. Then we behold the king filled with horror by the demand, so little expected from the lips of beauty and youth, — "Give me the head of John the Baptist in a charger." If Herod was startled, what horror must have filled his court! It is one of the dramatic advantages of this scene, that a turn which, if the artist had invented it, would have been rejected by the reader as extravagant, is already familiar to him. The poet can thus use, without offending taste or exciting incredulity, a tragic situation of the most thrilling nature, and demanding the utmost skill in its management. How shall this scene be accounted for? What is the transition between the gayety and light-hearted joy of one moment, and the terror of the next? What was the character of this beautiful murderess?

We read that she made the demand, constrained by her mother. Our common translation, "instructed," is too weak for the original. Her mother had a certain power over her. What was the nature of this power? Was Salome merely a weak child? Did she have no will of her own, and thus did she without resistance, or only after a little childish opposition, do the will of her mother? or was she also proud, hard-hearted, and revengeful? Had she inherited the fierce and passionate nature of her mother? Was she also indignant with the prophet that stood between her and a kingdom, and not unwilling to end the triumphs of the evening with such a strange trophy, to add a new piquancy to pleasures with which she had become sated? It need hardly be said, that the more we enter into the spirit of the times, the easier this problem becomes. The sight of blood was no strange spectacle; we might almost say, the guilt of blood was no strange sensation. At the gladiatorial shows, the audience were often participants in the murder. They determined whether the victim should live or die. But with all this help, the problem is a difficult one, such as genius loves to solve.

Whatever be the solution, it was a critical moment in the history and character of Salome. The stern face of the dead prophet looks up at her. If she has been in the dream and intoxication of madness, this look will awaken her. If she has been a child in her mother's hands, this look will create the woman within her. It may be the gaze of the Gorgon's head, which will chill the better nature within her into stone, and leave her heartless and desperate, her mother's character stamped upon her soul; or else henceforth a shadow of gloom will rest upon her; or, finally, it may be that the horror of this moment will open a chasm between herself and the influences that have hung about her so long, — it may be the beginning of a truer life.

As we thus strive to analyze her character, and the motives that were brought to bear upon it, we become conscious of two mighty forces contending for her and in her. The real personages in this dark tragedy loom up on either side, and we almost forget Salome as we see the collision between these two immovable wills. When we look from a distance at the line of breakers, we see first the white sparkle of the foam; but as we come nearer we forget the foam, as we watch the fierce collision of wave and rock that lashed it to the surface. In the scene before us Herodias and John the Baptist are the wave and the rock; Salome is the foam. In Herodias we have the sternness of pride, revenge, and implacable hate; in John the Baptist, the sternness of the ascetic and inexorable moralist. Each character was of grand proportions. Each had great plans and intense power of will. It is the might of virtue and the might of the world's voluptuous pride brought face to face. The collision is essentially tragic. The world's pride conquers, but will not the Furies of the slain one avenge him?

Turning now from the capabilities of the story for dramatic representation, let us see how the poem before us uses its material and solves the problem which the history offers. It will not be strange, nor will it be to deny a large degree of merit to the work, if we find that the writer has not been wholly successful in the difficult task he has undertaken. The first advantage of his theme he has finely used. The story, as we

said, involves two elements, one sacred and the other profane. The first must be used carefully and delicately; in the last, the writer has entire freedom of invention and incident. The author has taken the full advantage of the license, and has submitted to the restraint. In regard to Herodias, Salome, and the characters incidentally introduced, he has allowed himself perfect freedom of invention, both in incident and in dialogue. The sacred characters appear rarely, and then their language is as nearly as possible that of Scripture. This use of Scriptural phrases is managed with a beautiful discernment. It extends just far enough to add a repose, a dignity, and a verisimilitude to the scene, but stops this side of anything like stiffness or artificial constraint.

In turning now to the author's treatment of the characters of the story, we find that he has voluntarily increased the difficulties against which he had to contend. Let Salome be either moderately wicked or moderately weak, and it is hard to lead the story to the pitch of intensity required by its central incident, without introducing something that shall on the one side jar against our sense of probability, or on the other offend the æsthetic requirements of the poem.

The poet has made her neither weak nor wicked. On the contrary, he has painted her lovely as well as beautiful, sensible as well as lovely. He has not been content to have his heroine tolerated, or even admired; he would have her also respected and loved. This of course increases vastly the improbability of her making the request she did, and adds correspondingly to the difficulties of the plot. Not content with this, he has added a further complication. Salome was not only sensible and true-hearted, — she had known, and even loved with a childlike affection, John the Baptist. In the first scene of the play she is introduced as bringing comfort and cheer to his cell. This is the character which the poet has undertaken to lead forward to the point of demanding the life of the prophet. The first scenes so little prepare the way for this, that Salome, consulting with her lover Sextus in regard to the use she should make of the opportunity that the unexpected offer of the king had given her, after suggesting several things she would like to ask for, — horses that they might flee

away together, a splendid palace where they might dwell together, and, finally, after having decided to ask a princedom for her lover, so that the objection to their union might be removed, suddenly thinks of the prophet in prison, and decides to ask his liberty. Thus far the author has succeeded in charming us with his heroine, but has not at all lightened the difficulties of the plot.

The voice of Herodias suddenly breaks up the conference of the lovers. She has determined what Salome shall ask for, and in the interview which follows attempts to force her to acquiescence. She begins by striving to corrupt the pure simplicity of her daughter's nature. While her heart is glowing with pride and triumph, she would shape it into her own likeness. But corruption, entreaties, commands, are powerless. Salome, wondering, startled, is yet true to her own nature. Finally, the mother uses her last resource. She tells her daughter that her lover Sextus, who is lingering below, is surrounded by armed assassins, who await only her signal to take his life. Salome, wearied, astounded, having to choose between the life of her lover and that of the prophet, half swooning with the terrible excitement of the moment, writes the petition that is to cause the death of John, and sinks senseless to the floor.

We are not sure that in all this probability is violated; but it will be noticed that the difficulty of the story is not wholly met. Herodias tells her daughter that she will not force her to go into the presence of the king and utter her request. She knew that the maiden could not pass through that ordeal; that a moment's thought would give her moral nature strength to assert its supremacy. The poetic license which the author has taken here is not great. It shows his discernment and self-command. He brought his motive forces together, saw what they could accomplish, and stopped with that. We do not think that, the character of Salome being what he has painted it, anything further was possible to her. What it shows further is, that, however beautiful Salome may be, and however complete the play that represents her, she can never quite take the place of the heroine of the familiar story. The poet, toning down the character, was forced to tone down the incidents to preserve the harmony.

From the same reserve springs the fact, that the incident which the painter seized as the central one, the poet has left out. Salome is not brought before us face to face with her victim. The author has left a veil over that critical moment, feeling, perhaps, a certain diffidence in his own power; feeling, perhaps, that silence was all that any genius could use to describe the scene. Better than its formal introduction is the horror that succeeds it. We admire the self-restraint of an author who could leave such material unused, painting it only in such words as these that we shall quote, more thrilling than any direct presentation could be. In the interview with Sextus, her lover, that follows the scene described above, Salome exclaims:

> "Now kiss me on mine eyes, and charm away
> That which doth haunt them. Dost thou love me still?"

These words, spoken without explanation, and incomprehensible to her lover, form the first, and, with one not dissimilar exception, the only reference to the literal fulfilment of her request, the bringing to her of the head of John; and we repeat, that this treatment adds to the power of the play, or at least to our respect for the artist.

What follows in the development of the author's conception of his character is fine, both in matter and in form. She will not enjoy the fruit of her crime. She has saved her lover's life. She renounces her dream of happiness with him.

> "I cannot stay with thee, it were the price
> Of my great crime; for when she urged me on
> The queen consented that I should be thine.
>
> . . . . .
>
> I know not how to leave thee; gods exact
> The sacrifice and they will give me strength.
> I never loved thee as I love thee now.
> I never knew before the depth of joy
> To feel thine arms protecting, holding me,
> To hear thy voice dispelling all alarm,
> And filling me with calmness, making life
> One joy concentrated of every joy." — pp. 207, 208.

She goes forth to the wilderness to join a vestal sect, and in the wilderness Christ meets her. This meeting is for the most

part finely drawn. It comes in with a certain serene peace, after the tumultuous scenes that have passed before us. He forgives her, blesses her, and sends her back to life. Nothing more is told of her story. The poet's reserve here is worthy of the highest praise. We see a future of happiness before her, but we see it only through the sacred words of the Master.

We cannot better close this analysis of the character of Salome, than by quoting the following lines, in which she describes herself. She is speaking to her lover Sextus.

> "Nay, send me from thee. I can never be
> That which I was; for stricken is the flower.
> The springs of joyousness, which give the sap
> To youth, are dried, and cankered are my roots;
> Thou shalt find naught but blights upon me, blights.
> No verdure decks my branches; pallid leaves
> Move lifeless in the breeze, too soon to fall.
> Let me be prompt to loose thee from thy vows;
> My vows are dead, for she who made them 's dead.
> I am not she — I know not who I am.
> But had I been myself I would have died
> Rather than shed the blood of that just man.
> Yet thus should I have been thy murderess.
> What could I do? how turn? O gods, have pity."
>
> —pp. 203, 204.

From what has been said, it will appear that the character of Salome is not only well conceived, but finely finished. It is not an abstraction, but a creation. The character of Herodias is conceived with skill. There is strength shown in the portrayal, but the picture is less perfectly finished. Indeed, it may be said of all the other characters of the play, that they stand around the perfect form of Salome more or less as abstractions; personifications rather than persons. This does not prevent them, however, from being wrought with much power. In the case of Herodias, this power sometimes runs wild. We miss the delicate reserve which was so admirable in the painting of Salome. There is a too conscious self-analysis. She shows herself too openly to her daughter. There is occasionally a touch too much of horror. The scene between Herodias and the head of John the Baptist has this last peculiarity. We cannot say, indeed, that it lacks verisimilitude. Tradition, which reports that she pierced the tongue of the

beheaded John with a bodkin, and that she would not suffer the head and body to be placed together, as if fearing still his reproaches, dreading, as Herod seems to have done, his return to life, justifies the spite, the hate, the terror, which are brought together in this scene. It is not improbable, at least not impossible, that the proud, self-contained, and self-sufficient manhood of John might have awakened some sort of passion in the heart of a woman so gifted and so depraved as Herodias. He was certainly very different from any of the other personages by whom she was surrounded. But the scene in which all these passions are brought together, although very powerful, is, for æsthetic purposes, overdrawn. Perhaps the same might be said of the presentation of the madness and death of Herodias. The poet imagined her a grand woman, given over utterly to evil, and left his thoughts and words free to paint her vast and black as they would. Notwithstanding this excess of power, the conception of the character is, as we have remarked, a fine one, and the picturing of it is impressive. We take from her conversation with Salome an extract that will illustrate her nature, and show the strength of the character, without the excesses referred to.

> "*Salome.* The power to love and feel beloved
> Is all I ask."
> "*Herodias.* The power to curse thyself,
> By yielding every power but this, and this
> Is weakness; thou art strong when thou art loved,
> For then thou rulest; weak when thou dost love,
> For then thou 'rt ruled. Lead for thy purposes
> The passions and the appetites, the loves
> And hates, the weaknesses and strengths that move
> And master men; but love them not. Their love,
> Make it an engine built against themselves.
> And batter them; the weapons which they give
> Burn not on thine own hearth to warm thee; send
> Them poisoned back. What 's sense of love compared
> With sense of power, the tyranny of will?" — pp. 132, 133.

Without dwelling upon the other and subordinate characters of the piece, we will now look for a moment at the great background in the presence of which the events of the story take place. The prophetic character of John, the marvels connected with the life and death of Jesus, must make

themselves more or less felt in whatever was connected with their history. At a time when heaven unveiled was so near the earth, the presence of this supernatural mystery could not be overlooked in a poem like the one under consideration. The play opens with a vision of heaven which was making bright the darkness of the prison-cell of John the Baptist. We hear the sublime ascriptions of the heavenly host, as they unite in praise to the Great Father, and their songs of pity and wondering sympathy and prophetic triumph, as they watch the fearful mystery of sorrow that is gathering about the Son, who is appointed to death. The attempt is bold, whether we consider the grandeur of the theme or the wonderful prologue to the Faust, which must be suggested by any similar undertaking. Perhaps it would be too much to call this a perfect success; yet it certainly is no failure. Indeed, except the example referred to, we think of no similar effort so well sustained. The songs have a certain sublimity about them, not marred by affectation or inflation. Such lines as the following,

"Ever creating and restless Creator, from finished creation resting forever," —
"Hidden and fathomless Mystery, mysteries hidden revealing,"—

show a degree of calm strength, and have a certain simple grandeur about them, that will illustrate the nature of this part of the poem. The vision, though not having the direct connection with the plot which the corresponding scene in the Faust has, yet elevates the play, and brings it at once into connection with the sublime events in the midst of which the story is to unfold itself. The reader who will pardon the undertaking will find little else that needs pardon.

The next appearance of the supernatural follows the death of John. The poet has, by a bold, though not too bold license, brought together the portents that mark the death of Christ and those that preceded the fall of Jerusalem. These, being part of one grand tragedy, are fitly employed to unite the horror of the moment with the terror of the future. In the painting of these scenes, their grandeur shuts out the possibility of extravagance, and the poet finds free space for the exercise of that imagination the force of which we have already seen. The bringing together of the deaths of John and of Christ, as we understand the writer to have done,

though in these shadows it is difficult to see with perfect clearness, is of a different nature. This is to disturb the grand sequences of history.

Of the third and last intermingling of the supernatural with the events of the story, we hardly know how to speak. In the closing scene of the play, Herodias appears maddened and dying. To her frantic outcries responds a "chorus." We have reckoned this "chorus" among the supernatural appearances. It is called simply and vaguely a "chorus," whether of angels, men, or demons we are not told. The writer probably had in mind a chorus of spirits, such as, in the Faust, sings the hero to sleep, and chants the requiem over his destroyed world. These spirits neither good nor bad come in fitly, at the call of Mephistopheles; but there seems less place for them in such a poem as "Salome." The chorus itself seems equally doubtful of its own nature. Sometimes it is Christian, speaking of "God," sometimes pagan, speaking of "the gods." We confess to a little regret that the poem should close thus vaguely. At the same time, this portion contains some of the most beautiful writing in the poem. There is a sweetness and a delicacy about it, a beauty at first sight somewhat obscure, but gaining clearness as we look at it, that would make us regret its absence as much as we regret its presence. We will extract a few lines from the songs of this chorus that will show the reader something of its nature.

"Watchmen watch from towers of hell forever,
Princely messengers with flaming wings invite,
Princes wait in state for proud and powerful,
Weak and mean, and rich and poor alike.
Its drawbridge ever is down,
Ever its gates are open,
Ever its warders are ready.
Enemies approach not;
Dreading no foes,
It feareth no hostile invasion.

. . . . .

Sleepless is Evil, and sleep
Cannot abide, but fleeth in terror its presence;
Sleep is the couch of the just, at night their health-giving garment;
Sleep, the reward of the gods to the pure and the gentle of spirit."

— pp. 247 - 249.

From the analysis and the extracts that have been given our readers have already formed some estimate of the character and ability of the poem under review. We have spoken freely of its faults, but to these alone we should certainly not have asked attention. It is because we think that the work has merit enough to endure and to deserve such criticism, that we have thus brought it to notice. Its faults are, as we surmise, and it is merely a surmise, the faults of youth, many of them faults of power. There is indeed an absence of weakness from all parts of the poem that is refreshing. There is rarely any carelessness or stumbling. We have spoken of extravagances; these never lie in the expression. The writer shows familiarity with the best literature, perhaps more with this than with life, though of this last there is certainly no lack. We would even venture to guess that his favorite poets are Shakespeare and Goethe; that of Shakespeare, he loves best the "Romeo and Juliet"; and of Goethe, the matchless odes and the "Faust." But though his fondness for occasional conceits, his playing sometimes upon words, and other better marks, suggest the Elizabethan age, and now and then there are passages which remind one of the great German master, there is certainly no plagiarism. Everywhere there is originality, and everywhere strength. It is a work full of the freshness, the enthusiasm, the dreams, and the earnestness of youth. It is that which gives to it its charm, and makes us sure that it will be followed by other works, which shall unite the power of imagination and expression, so strongly marked here, with a *mastery* of power which only patience and experience can give.

The favorite figure of the writer is that of personification. This is one which belongs to the characteristics which we have described. It abounds in the early literature of nations as well as men. We will close our article with an example of the force with which this figure is used in the poem before us, simply commending the work to our readers as one from which they cannot fail to derive enjoyment.

> "That night in Cæsar's palace mocking Mirth
> To Revelry insensate gave a feast,
> And mad Intoxication with a torch

Played Hymen's part, and joined th' unholy two;
While Wantonness attended on the twain,
And lustful License sat as groomsman there;
And they essayed to ornament the feast
With beauteous half-draped forms, with languid eyes,
With mazy motions of lascivious grace,
And with seductive strains of music soft.
By sacrilegious hands sweet Modesty
Was forced, deep blushing, from her sacred shrine,
Her veil torn off, her beauties all exposed,
While on her glared gloating Concupiscence;
And Chastity, compelled to be a guest,
Closed her pure eyes and clasped her pleading hands
In vain entreaty to be sent away.
The morrow came; the amphitheatre
Like a huge crater hissed, and shrieked, and moaned,
Surging and heaving with the fiery life,
Which mounted up, up to the very top,
Like climbing flames, that seethe and writhe and rage;
And at the bottom Death, with muttered growls,
Anon terrific roars and horrid cries,
In every cavern, in a hundred forms,
Lying in wait, glared out with bloodshot eyes
From sunken sockets deep, and gnashed its teeth
Which thundered with the crash; while the hot sand,
Like molten lava, lay instinct with death.
I stepped on the arena, stood alone.

. . . . .

Thus, then, I stood, and Fear slunk shamed away,
And hid itself from me. I did not try
To show I felt no terror, stand erect,
Folding my arms and bracing out my feet,
And putting on the many flimsy tricks
Which the ass Cowardice, when in a fright,
So oft mistaketh for a lion's skin;
I stood as I would stand to talk with thee.

. . . . .

I felt the strength of all the Titans swell
The knotty sinews of my naked arm;
I could have rent e'en Death himself in twain.
And now I grapple him, for I am knit
In deadly conflict with the king of beasts.
Deep suffocating silence, breath of Death,
Mounts from the contest, and benumbs the throng
For one dread instant; then through all the air
From that piled cloud of faces there break forth
Reverberating thunders, peal on peal;

And now they roll away, and seem to die
In labyrinthine caverns of mine ear,
Which grow interminable, as I fall
Insensible, a conqueror on the sand." — pp. 68 - 76.

ART. VII. — *Göttingen und die Georgia Augusta. Eine Schilderung von Land, Stadt und Leuten in Vergangenheit und Gegenwart für Einheimische und Fremde.* Von FRIEDRICH WILHELM UNGER. Göttingen: Verlag der Deuerlich'schen Buchhandlung. 1861. pp. 239.

THE ideas entertained in this country of a German university are of the most opposite character. With the traveller, who gets his impressions on the deck of a Rhine steamer, or among the gay scenes of Heidelberg, the prominent idea is the picturesque side of student-life, with its traditional peculiarities of the duello and the other entertainments set forth by the student in Faust: —

" Ein starkes Bier, ein beizender Toback,
Und eine Magd im Putz, das ist nun mein Geschmack."

With others, the first thought is of a hotbed of neology, awakening a holy horror of Hegel and Strauss. A third set are so impressed with the profound investigation and solid learning of the German scholars in the varied fields of jurisprudence, science, philosophy, and history, as to take with unasking confidence the wildest vagaries, if sanctioned by a German name. Others still, without giving much thought to the subject, conceive of a German university as a sort of institution for general culture, where lyceum lectures of a higher kind are delivered, and erudition is insensibly imbibed from the atmosphere of the place. It is the old story of the figure with the gold and silver shield. The German universities present multifold phases of character, and are generally lauded or condemned on one-sided grounds. We therefore gladly avail ourselves of the excuse given by the publication of Dr. Unger's

instructive and entertaining account of the town and University of Göttingen, to try to sift out some popular errors, and to aid our readers in forming a clear and tangible idea of what a German university really is.

In Germany, as in every other country, the course of liberal study is divided into two parts: the preparatory course, in which the young student is trained and disciplined by teachers till he masters those subjects which are indispensable to all educated men alike; and the concluding course, where much greater independence is allowed, as preparatory to the duties of active life. The first is the gymnasium course; the second, the university course.

The gymnasium is often flippantly compared with the American college. Between the two there is, to be sure, some analogy. The aim of both is partly to store the mind with useful knowledge, and, more than this, by the disciplinary character of their studies, to enable it to lay hold of new subjects of thought and investigation, to seize leading principles, discarding the unimportant elements, and to master a science in a philosophical, systematic way. But in the nature of many of the studies pursued, the age at which the pupils enter, and the management to which they are subjected, there is as great a difference between the gymnasium and the college, as between the municipal institutions of Boston and those of the free towns of Bremen and Lübeck. The pupils of the German gymnasium enter at a tender age, remain some nine years, and are instructed from the rudiments onward. The age at which they leave the gymnasium is — as far as we can judge from the scanty statistics at our command — not very much under the age of our college graduates. But up to that time they are treated as school-boys. They are drilled and instructed by masters, and sit in school from thirty to thirty-two hours a week. The university student looks on them with a greater feeling of superiority, than a senior does on a freshman. He nicknames them *Pennäle*, a cant term derived from the *Pennal*, a case in which the scholars carry their pens and pencils, and which, with a tin box shaped like the heel of a shoe, but larger, for carrying their slice of bread and butter, and a slate and satchel, is the most striking outward mark of gymnasiasts going to school, —

"Lævo suspensi loculos tabulamque lacerto."

He talks of the time when he was at the gymnasium very much as if he were talking of the time when he wore a frock and pinafore. His mind goes back with no fond longings to the period when he was engaged in his disciplinary studies, and the friendships then formed are mere boy-friendships, without the enduring ties of class feeling. As regards instruction and methods of education, much improvement might unquestionably be made in American colleges, if the German system were thoroughly studied, and its good features adopted. But in the higher matter of *morale*, of feeling and sentiment, the advantage is immeasurably on our side. The German gymnasiast is an unemancipated boy. The American collegian may sometimes fancy that he is treated like a boy, and chafe at regulations which to his age seem puerile and trivial; but in general he has the sense to see that the internal affairs of a great educational establishment cannot be quietly conducted without certain wholesome regulations, which would be unnecessary if he were under parental discipline. In general, too, he feels that he is already in a great measure liberated from school restraint, and in his intermediate position between boyhood and manhood he takes on a manly, and not mannish, tone of thought, which is a pleasing medium between the boyish subjection of the German gymnasiast and the unrestrained license of the German student. On his very entrance to college he anticipates the time when he shall be ranked among the alumni, and, with a harmless vanity that we may indeed smile at, but must still in a manner respect, he calls himself proleptically a member of the class of sixty-something-far-off-in-the-future. He has a personal pride in the past history of the college. He is already admitted within the precincts of that mystic free-masonry of scholars, which to the outside world is such an incomprehensible thing. The feeling grows stronger when he leaves the college. He is now a part of something that has grown up organically with his country's growth, and strengthened with her strength. He has become one of the brotherhood. His name is enrolled with those of the best men the country has produced; from the record of their lives he draws a motive to endeavor that keeps him steadily

up to the homely duty of every day. And if — happily or unhappily for him — he is placed in a position of trying responsibility, this feeling of kinship with them reminds him that many eyes are fixed on him, and nerves him with a heroism not easily surpassed. What was it that kept up the Harvard youth in the sickening hopelessness of Ball's Bluff and Fredericksburg, or amidst the carnage of Antietam and Richmond? The rattling of musketry, the screaming of shells, and the whole awful discord of martial sounds, must have set the mind whirling with those strange and vivid images that rush in only when danger and terror are hard by, — memories of the prayers said at a mother's knee, of lovers' walks in shady green lanes, of little brothers and sisters sauntering hand in hand to school, of peaceful college days, and endeared studies and friendships. And, ah! who shall tell how the instinctive pride of association shot into the mind and fired it with a mettlesome, high-spirited resolve, when those beardless heroes, who had everything to live for, stood up calmly and radiantly to die?

The training of the German gymnasium, then, excellent as it is in many respects, hardly exerts that incidental influence on character which is one of the most important things in a college education. The German gymnasiast is *an unemancipated boy.* The American collegian *is a man in his novitiate.* He is the custodian of time-honored usages and venerable traditions, with a feeling of responsibility like that of the Attic ephebus, who, admitted to some participation in public duties and dangers, registered a vow not to disgrace his sacred arms or to leave his post, but to uphold his country and deliver her beautified to his successors. This fundamental difference between the gymnasium and the college has stamped itself on all possible phases of feeling and language. The German word *Student* means a professional or university student. The American word *student* means, κατ' ἐξοχήν, an undergraduate of a college. If the student is studying a profession, we call him a medical student, divinity student, or law student. He loses the generic term, which links him to large classes of men, and receives a specific name of much feebler significance. In Germany all the graces, romance, and poetry of student-life cluster, not round the gymnasium, but round the university;

in America, round the college. We cannot conceive of a sentimental song, describing the longings or emotions of a German gymnasiast or an American medical student. The very mention of this last suggests at once the professional revelry of Bob Sawyer and Ben Allen. The American professional student is practically what the German student calls a *Philister*, — a word used with various shades of meaning, but always with the fundamental idea of a burgher as contrasted with a student, a man cut loose from academic companionship and general study, and absorbed in the narrower interests of his particular calling in life.

The gently corrective influence of college training on the community at large cannot be too highly appreciated in this country. The admitted danger of republican institutions is, that the power may gradually slide into the hands of the unthinking and the incompetent. Hence most theoretical writers on government argue in favor of an aristocracy of some sort, to rally around positive and fixed institutions, to act as the guardians of the historical element, and to rise up in troubled times, like Virgil's good man, and say peace to the waves of popular frenzy. We cannot sympathize with those foreign thinkers who regret the absence of such a class in America. The fancied want is supplied by the large numbers of college-educated men scattered over the land. Many, too many of them may never have shone in college, nor borne off college honors. They may have been shaky in their Latin quantities, may have staggered in their equations, and been entirely nonplussed by the mysteries of *Baroko* and *Celarent*. Still they have caught the infection of the air, have gauged their own strength and weakness from the daily competition they have been subjected to, have imbibed some conception of the range of human learning, and acquired at least, if they have acquired nothing more, something of the humility of Socrates, who knew only one thing, — that he knew nothing. Translated to new places, and surrounded perhaps by conceited and presumptuous smatterers, they are the centres of a wide influence, the *optimates*, the καλοὶ κἀγαθοί of their respective neighborhoods. If there is in their circumspect deliberation somewhat of the conservative element of an aris-

tocracy, it is an aristocracy open to all, without the invidious accident of birth or the spirit of clique. What a privilege it is considered to belong to such a body, the experience of every college will show. Dull sons of rich and influential parents cling tenaciously to the skirts of all our colleges, and refuse to be shaken off, feeling that in after life the advantages of fortune and family connection alone will not give them a due *status* in the world.

Had the number of colleges in this country been greater, we feel positive that the rebellion would have been much less successful, if indeed it had not been wholly stayed. Even as it is, when the future historian of the war inquires into the state of feeling in the South at the outbreak of the rebellion, he will find that, with the exception of a few incorrigible hot-spurs, the younger generation of college-bred men were decidedly of the party of law and order, looked on the rebellion with disfavor, and were reluctantly drawn into the vortex only when the general infatuation had acquired a head which swept everything before it. Too many instances of this are known, to leave much doubt.

But we are wandering from the subject of the gymnasium. Nothing can be further from our intention, than to speak disparagingly of these excellent schools. We simply insist that comparisons based wholly on the plan of studies are utterly one-sided and unjust, and that, while in Germany it is the professional study which gives the turn and cast to character, in America the professional study has little to do with the development of character, and the college study a great deal. Nay, more; we are ready to admit that, in matters of a purely scholastic nature, a degree of thoroughness is required in the gymnasium, which might put many a college to the blush, if scholastic attainment is the only thing aimed at. But, on the other hand, with a full consciousness of the superficiality which our colleges must perforce tolerate, on account of the present condition of our society, we still maintain that an education in an American college is better in the main for American youth than a German education would be, gives them more *aplomb*, and fits them more thoroughly for the various exigencies of their future life.

History and experience show that for Germany the German system is equally well devised. The instructors in the gymnasia are university men, many of them ranking among the coryphæi in their own departments. The long waiting and slow promotion incident to an academic career induce them to choose in preference the less honored but safer gymnasial career. That they do not fall into a slothful mechanical routine, the quarterly catalogue of books issued in Germany and the pages of every scientific and philological journal bear witness. No question is started respecting methods of education that does not call out a swarm of eager combatants. No mathematical, physical, or philological text-book appears, that is not pounced upon, — perhaps by half a dozen critics at once, — and pulled to pieces without fear or favor, and its merits and defects set in a clear light. Nor do they by any means confine themselves to a second-hand erudition and a judicious remodelling of the labors of other men. Many of the books yearly issued from the German press, which extend the boundaries of knowledge, are the results of their independent study and thought. It is not an uncommon thing for a gymnasium teacher to receive a call as a university lecturer, and not uncommon for him to decline, and remain in his humbler sphere of duty, contented to serve the cause of good learning with his pen rather than his voice. Frederic Jacobs was repeatedly called to a professorial chair, but spent the most of his life at the gymnasium at Gotha.

At the end of the gymnasium course, the scholar, if found prepared, is forwarded to the university. No examination is required for admission *at* the university, the fitness of the applicant being judged of entirely by such documentary evidence as he may bring with him. A foreigner is admitted to the university on the mere strength of his passport. It is obvious that, if many persons were received in this loose way, the university lecturers would labor under the disadvantages usually complained of by professors in our professional schools, — the want of an audience homogeneously educated and capable of appreciating the lectures. But the proportion of foreigners is not large, the state has not the responsibility of providing for them after they leave the university, they help to pay

expenses, and it is thought good policy to attract them. The university lecturer is insured a well-educated audience by the strict regulations which govern the final examination at the gymnasium. The decree of the German Diet of November 13, 1834, provides, in general terms, that the applicant for admission to the university shall present such testimonials of good character and fitness as are prescribed by the state to which he belongs, and binds the several states to keep the Diet informed of the local regulations. What the particular differences may be in different states, there is no need that we consider here. In Prussia, which may be taken as the representative state, a most rigorous and searching examination, oral and written, is required in the principal branches of study pursued at the gymnasium. The immediate examining board consists chiefly of the officers of the gymnasium; while, as a check to prevent favoritism, and in general to see that the work is properly done, a royal commission of inspectors is present, consisting of professors of the university, and others specially appointed by the crown.

Thus, — we repeat it, for it is an important consideration, — the German university lecturer is insured an audience educated up to the standard of his lectures. The gymnasia are under the supervision and control of the state, and the greatest care is taken to sustain their efficiency.

We come now to the university. What is a university? As used at the present day, it is a word of very loose import, employed by different nations to denote very different things. Originally and etymologically, *universitas* is a *totality;* applied in a concrete sense, it means a body of men associated together,* a *community* or *corporation* of any sort. It is thus used as early as the times of the Roman jurists, and is applied in its general sense to the guilds or peculiar corporate bodies of the Middle Age. As used, therefore, of the mediæval schools, *universitas* means nothing more than *a guild of scholars;* according as the teachers were the predominant idea, as at Paris, or the body of pupils, as at Bologna, it is called *universitas magistrorum* or *universitas*

* Savigny, Geschichte des römischen Rechts im Mittelalter, III. 412.

scholarium. As the domains of knowledge gradually widened, the term *universitas* began to be used to represent the new conception of the totality of knowledge, being transferred from teachers and pupils to the subjects taught. To find an adequate Latin expression for university has occasioned much difficulty to scholars. F. A. Wolf uses the simple *universitas*, the absolute use of which word may be questioned. The combinations *universitas litterarum* and *universitas studiorum*, which are commonly used, though perhaps the best as conventional terms to denote a thing unknown to the ancients, refer to the uuion or totality of studies, and not to the corporate character of teachers and taught, which is the original idea.

As now used in Germany, the predominant idea of a university is that of a place where the whole range of science and letters is represented. It may seem like the repetition of the merest truism, like saying that two and two make four, to add that the object of the university is professional study. But many intelligent men in America are not quite clear on this point, and many young men go yearly from this country to Germany in quest of a phantasm they are not likely to find, — "general culture." True to their historic origin, the German universities still hold fast to the original division into four faculties.* The three faculties of Theology, Law, and Medicine explain themselves. The only faculty unfamiliar to American ears is the fourth, or Philosophical Faculty. This is the general receptacle for everything not included in the three other departments, embracing Philosophy, History, Mathematics and Physics, Philology and Linguistics, Zoölogy, &c. Each faculty is presided over by a dean, and as the head and representative of the university stands the rector.

The university teachers are divided into four classes. The

* The two universities of Munich and Würtzburg are exceptions, having an additional faculty styled the *Staatswirthschaftliche Facultät*, — the Faculty of Political, or, perhaps better, Public Economy. The object of this faculty is to prepare young men for government service. Lectures are delivered on such subjects as Mining and Forest Law, Police, Political Economy and Finance, and Technology. Of course, where there is a mixed religious population, Catholic and Protestant, the Theological Faculty is subdivided.

highest are the Ordinary Professors, who receive a regular salary. The second class is composed of the Extraordinary Professors, who do not receive a full support, and are not eligible to the university senate. Thirdly come the Private Lecturers, who are not paid by government, having merely the privilege of lecturing, and showing by their success what their abilities are. In the fourth class are included instructors not in the line of promotion, as teachers of the polite accomplishments, such as dancing, fencing, and music, and of the modern languages.

Instruction is given principally by lectures. In some departments exercises of a practical character are held, as in the chemical laboratories, and the theological, philological, and pedagogical seminaries. It is a common practice, also, for the younger lecturers to hold *conversatoria*, *examinatoria*, or *repetitoria*, something of the nature of a familiar colloquy, in which the student is examined, and difficult themes in the lectures of the professors are more fully explained.

Those persons who form their ideas of German university lectures from American lyceum lectures are greatly mistaken. An American popular audience would shun a university lecturer *cane pejus et angui*. There is no attempt at fine writing or fine speaking. Extempore lectures, except on purely demonstrative subjects, are looked upon with disfavor, as wanting in solidity, and necessarily involving wearisome repetition. The lecturer usually *reads*, with great deliberation, a carefully written lecture, fortifying his statements with masses of citations, of which he gives chapter and verse.* Some lecturers adopt a half-way course, reading a portion of the lecture, and filling out extemporaneously. Exhaustive thoroughness is aimed at in the treatment of subjects, and the dryest details and minutiæ are often as carefully elaborated as the most captivating general truths. To a foreigner, it is very striking to see lectures attentively listened to, that would put an audience of American youth to sleep. Our young countrymen, not much accustomed to this mode of in-

* The idea of *reading* is implied in most academic terms relating to lectures, — as *lectiones*, venia *legendi*, *prælegere*, *Vorlesungen*. The current German word to denote the lecturing of a professor is *lesen*, *to read*.

struction, are too apt to go to a lecture with the idea of "picking up something general," to dawdle listlessly through the hour, at best in passive receptivity, roused to attention now and then by some interesting anecdote or eloquent passage, and then to come out of the lecture with a few vaguely remembered "facts," and much general confusion of mind. The German student goes *at* a lecture in an inquisitive and aggressive spirit, prepared to discuss and criticise it, and wrangle over it. At the same time, he usually respects the opinions of the lecturer, and insures himself against superficialness and the mere retention of general ideas, by carefully writing the lecture down in ink, not in the form of heads or notes, but in regular, connected discourse, like a book:

> "Denn was man schwartz auf weiss besitzt
> Kann man getrost nach Hause tragen."

The "black on white" is carefully preserved, and at the end of the course bound up in book form. Thus the student is in possession of a tolerably complete treatise on the subject of the lecture, which has been impressed on the memory by the process of writing, and to which he can refer at any future time, if his memory slips, or if he wishes to follow out the topics suggested, and to read up the literature so abundantly cited.

Various opinions have been held, even in Germany, as to the advantages and drawbacks of the lecture system, but the prevailing sentiment is in its favor. While the narrow-minded student may cling too tenaciously to the "black on white," and may fancy himself a scholar as he complacently surveys the bound volumes of lectures on his shelf, the more sensible class look on the lectures, as they are intended to be looked on, as a provocation to independent study. The lives and works of many of the most original scholars show, in many cases, what a decided bent was given to the mind by the university course. Surely no man that ever lived was less a worshipper of the letter than Gottfried Hermann, and yet his biographer has put it on record that the subjects on which he tried his daring originality during the years of his long life were the very ones to which his attention was directed during his student years.

But since many of the systematic works in literature and science published in Germany have grown up from academic lectures, the question will readily occur, why it would not be as well to print the lectures as books, and let them be read or studied, especially as the little inaccuracies inseparable from catching the words of a lecturer would thus be avoided.* A clergyman, noted for his cogent way of putting truth, reasons thus of the stated ordinances of worship: "Many people say, 'Why go to church? I can read my Bible just as well at home.' To which I reply, '*Do* you read your Bible at home?'" The study of a book by one's self — unless regulated by a recitation, which would imply a radical change in German notions — might easily degenerate into a spasmodic effort, or a pure cramming process; whereas the lectures, occurring day after day, with stated intervals between, insensibly permeate the mind, and are digested and assimilated, like regularly recurring meals. Furthermore, the lecturer is himself a living authority. He can occasionally throw a gleam of light on an obscure topic, by a familiar conversational remark, and very often suggests ideas and trains of thought that are wholly new, and in advance of any printed book. But, after all, the strongest argument in favor of this method of teaching is the psychological one. As long as man is man, the human presence and the spoken word will have their weight. The oratory may be bald, and the style dry and quaint, yet the ideas of a solid, original thinker lend a magnetic charm to his voice, and the proverbial sympathy of an audience with the speaker, and the mysterious *rapport* in which they are put with one another, make the living word tell more than a book. The German lecturer never wearies his hearers by the length of his lecture, three quarters of an hour being his limit,— an example of moderation that might be profitably followed in this country.

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* An amusing instance of such a mistake occurred at a lecture of F. A. Wolf's. Wolf said that the modern Greek word *νά* came from *ἵνα*. The lectures were printed from the notes of an auditor more faithful than intelligent, and the illustrious scholar was made responsible for the strange statement that "the word *νά* came from *China*"! which in German has much the sound of *ἵνα*. The lectures of Niebuhr, published from notes, contain many strange mistakes of the ear.

Still the lecture system pushed to an extreme, and not used as a guide to independent study, undoubtedly leads to bad results. We are not aware that it has ever been proposed to substitute for it the so-called tutorial system, of recitations from text-books, but a party not wholly without influence, represented by such men as Bischof in Bonn, and Diesterweg and Theremin in Berlin, is in favor of totally abolishing lectures, and substituting the *dialogic* system of instruction in their stead.

We have not yet mentioned the division of lectures into public and private. The difference between them is, that the public lectures are delivered gratis, while for the private a moderate fee is paid by the student. For lectures occurring four to six times a week, a Friedrichsd'or is charged (about $4.25); for a lecture of three hours a week, half that; for the longer courses of two lectures a day on the Pandects, two Friedrichsd'or. These sums mean somewhat more in Germany than they do here. It is thought a sensible thing to make each student pay directly for every private course he hears, instead of paying in the lump, since he is naturally more inclined by self-interest to attend regularly. For indigent students the time of payment may be postponed, but in no case is the fee ever remitted.

Every professor is bound to deliver a public course, yet the object of the stringently worded regulation is half avoided by the transparent artifice of making the public lecture virtually subsidiary to the private, or contriving to make it unintelligible unless the private course is attended. The public lectures ordinarily occupy fewer hours in the week, and are held in lower esteem.

The selection of courses rests with the student. It is imperative on the professor to deliver the course announced, provided a certain number declare their intention to come, and pay the fee, if it is a private course. The ordinary number required is three, — "tres faciunt collegium," — but in some universities it was, formerly at least, two, and in others it is now four. As small a number as three is, however, rare, except with inferior lecturers or on abstruse subjects. After the lectures are selected, the student is not compelled to attend.

Still the regularity of attendance is very respectable. Beside the pecuniary motive alluded to, other inducements are held out. The student is furnished at his matriculation with a Testimonial-book, in which he enters the courses he proposes to hear. At the end of the course the professor certifies to the character of his attendance, and the student is obliged to hand in his Testimonial-book to the authorities, when the time of reckoning comes and he presents himself for examination. Theoretically this is a good plan, but practically it does not amount to much. The professors are not apt to be very discriminating in their certificates, and usually attest, "attended with extraordinary industry." The testimonial system is pronounced by Thiersch an unmitigated absurdity, and has very probably been considerably modified of late years. The principal hold on the student is the examination itself. No student can go into one of the learned professions, be accepted as a classical or mathematical teacher, or in general fill any tolerably respectable place in the government service, without passing a most rigid examination, — an examination not for a degree, but to determine whether he is qualified for the post. There is a loose, floating notion, that the German student is held up to his work by the attractions of study alone. Nothing can be more false. The government looks on every student as in some sort a servant of the state, and holds him to a strict account. *Take the two examinations away*, — the examination on leaving the gymnasium, and the examination on leaving the university, — *and the whole university and lecture system of Germany would immediately drop to pieces.* In no country outside of Germany could this entire system be kept up so successfully. The stimulus of degrees would be impotent in comparison with the incentives in the hands of monarchical, almost absolute governments, where a man's whole career in life is affected by his success at school and at the university, and where science is really Schiller's milch cow to thousands.

Not all professors have the right of examination, which often operates unfavorably. It is for the student's interest to attend the lectures of his future examiners, as he is very likely to be questioned on the topics they discuss. Other lectures — as

good as theirs, or even better — expediency may permit him to neglect. Then again, fashion, caprice, accident, are found at German universities as well as elsewhere. We know of a course of lectures delivered some years ago by a man whose name is familiar in both hemispheres, which began with an audience of three, and ended, to the great mortification of the lecturer, with an audience of one. There was no good reason for this small number, as the course was a valuable one, on a not unpopular subject, and this lecturer generally had a pretty large audience, though he was not a member of the examining board. But it was the fashion of some influential students at this particular time to decry his lectures in favor of another professor, who was an examiner. At the same time a fantastical, half-crazy theologian, who lectured on "The War in Sleswick-Holstein from the Christian-Germanic Point of View," had his lecture-room thronged with hearers, who came to amuse themselves with his personal invective and droll theological quips.

Even a superficial sketch of the nature and workings of a German university would be incomplete without some notice of the great feeder which keeps the professorial corps supplied, the Private Lecturers. After passing through the university, and spending some specified time subsequently in further study, these teachers are required to attest their ability by publishing some treatise in their particular department of science or letters, aud passing the examination for the *venia docendi*, or *venia legendi*. For their support they look to the fees for lectures, which probably, in most cases, do not amount to much, to such collateral literary work as they can pick up, and to their own private resources. In a country and society which present a complete contrast to the shifting changes and sudden elevations of American life, and where title is a universal open-sesame, there is always a struggle to get on one of the great grooves of advancement. Hope holds out to them, as to the candidates for orders in the English Church, her hand full of glittering prizes. An extraordinary professorship, then an ordinary, a possible election to the post of *rector magnificus*, the titular decorations and orders of knighthood so lavishly scattered by the German courts, high seats among the dignitaries of the land, — can it be wondered at that, with

these grades of promotion looming up in succession, they are willing for a time to eat the bread of patience? that, when academic success means everything worth seeking, there should be a crowd of emulous aspirants struggling towards the high places, and keeping literary and scientific life from inertness? But ah, the failures! In the precincts of every university you will meet weary-looking elderly men, wandering as if in quest of something, they know not what. These are the men who, term after term, advertise lectures in the university programme, — lectures to be delivered at an hour and day convenient for the auditors — who never come, — *horis diebusque commodis, hora audituris commoda.* If you have time, they will button-hole you, and confide to you their long story of grievances: how they have been barred out of their promotion by the fawning subserviency to the state authorities of one rival, and by the intrigues of another. You listen incredulously, and leave them in their delusion, feeling what a comfort it must be to have a grievance to nurse, to these lonely lives wasting under the heavy burden of hope long deferred.

The *venia docendi* is conferred solely by the several faculties of the university, the government of the state having, according to the theory of the university system, neither the right to forbid the lecturer's entrance on an academic career, nor to depose him after he is established, since it pays him no salary. Of late, however, complaints are rife that the governments are interfering with the prerogatives of the private lecturers, and making them a matter of ministerial or administrative whim; they have required the applicant to bring a certificate from the police authorities, that there is no objection against him on the score of politics or violation of police regulations; and in one case, at least, they have ventured to depose a private lecturer. What the right and what the wrong may be, it is hard for a foreigner, at a distance, and not cognizant of the personal matters which usually enter largely into questions of this sort, to determine. But the natural presumption is, that the governments, irritated by some injudiciousness of these men, who are apt to be rather unruly members of the body academic, have gone beyond their legitimate sphere of action in throwing restrictions round the system; and as the

independent position of the private lecturers has always been regarded as a characteristic part of the university arrangements, and has been made rather a matter of national pride, the complaint has gone forth that academic freedom has been encroached on.

The phrase "academic freedom" is one of those vague catchwords used without clear ideas, and appealing more to the feelings than to the understanding. Sometimes it is used to denote the *status* of the student in civic life, sometimes, to designate a free system as opposed to a compulsory system of study. Taken in its most comprehensive sense, it asserts the autonomy of the university as a body, and its independence of the state, except so far as the university interlocks with those fundamental concerns of civic and political life that come legitimately under the control of government. The history of the German universities shows the prevalence of this idea from the start, and, in a country where political freedom is circumscribed, explains the deep hold of the university on popular affection. The founders of the famous schools of Paris and Bologna were laymen, who had the boldness to wrest learning from the jealous and exclusive grasp of the Church. From being originally voluntary, informal associations, the mediæval schools gradually adopted the organization of guilds; they had a similar system of masters, journeymen, and apprentices; the German journeyman wanders from master to master till his time is up, and the German student, even now, goes from university to university during his student years; and as in the various handicrafts the journeyman was obliged to present a master-specimen of his skill before being admitted as a master of the guild, so the scholar presented a dissertation and held a disputation before he could be admitted as a master of the liberal arts. The guild decided of itself who should be admitted to the privileges of the association, and the papal and imperial privileges granted to the universities merely established and confirmed them as corporations, without implying that Pope or Emperor had any concern with their internal affairs.* The German universities, resting on this basis, stood at length as a

* Scheidler, Geschichtliche Darstellung der Entstehung der Hochschulen, p. 209.

compact phalanx, a state within the state; they began to feel their strength, and loudly to assert their opinions. They lent Luther their ears, nursed the Reformation, and scattered his teachings over the land. They were the great strongholds of liberal ideas in an age when liberal ideas were found nowhere else, and down to the present day they are the centres of all new developments, of all intellectual progress, of all reform. The impetus given by the academic bodies to the Revolution of 1848 is too well known to need mention.

Withal, however, they stand under the effectual control of the state. The gymnasia depend in part for their support on the communes in which they are situated; the universities are furnished with the sinews of war directly by government, either in the form of supplies from the treasury, or from estates managed by government, the income of which is appropriated to their use.* The general management and supervision of the university is in the hands of the Minister of Public Instruction. The care of the funds is committed to a royal Curator resident at the university, who is the official medium of communication between the university and the state authorities. The curator is charged in his instructions not to interfere with matters belonging to the Rector, the Academic Senate, the Faculties or their deans, but at the same time directed to see that these authorities keep within their proper bounds, to warn them against any irregularities, and, in case of need, to report them therefor to the ministry. In the internal affairs of the university much is indeed left to the university authorities; the Faculties in the narrower sense, consisting only of the ordinary professors, confer degrees under the authority of the university, and elect annually their own Dean; the ordinary professors elect, also annually, the *Rector Magnificus*, who is, with the Curator, the highest academic personage, and the representative of the university in its outward relations; they elect, furthermore, a certain number of the Academic Senate, a body of about a dozen men, which is the connecting link between the faculties, and holds stated meetings once a fort-

* Dieterici, Preussische Universitäten, p. 6.

night to consider matters pertaining to the university as a whole, and to exercise discipline in important cases.* The nomination of three candidates, in case of a vacancy in a professorship, is also left with the faculties. But they have merely a nominating power, and it rests with the state authorities to select one of the candidates or not. In this way, and in the various indirect modes of influence known to a paternal government, the fatherly hand of the state bears steadily upon the university, with a pressure often hardly felt, but none the less real, and keeps it in the way it should go.

We have no design to speak of the influence of the German universities on German life, speculation, and scholarship, or to treat of the interesting subject of student life. Our object has been simply to give a sketch of the framework of a German university, to show what is done and how it is done. Incomplete as the account has been, it is full enough to show what a world-wide difference there is between the German and American systems. The original conception of the *universitas magistrorum et scholarium* is still held fast and perpetuated in all university usages that govern the masters. On the body of students, also, the idea of a common guild of literary craftsmen is daily impressed. They are all subject to the same statutes, and enjoy the same privileges; they have their own special court, the right of being imprisoned in a jail of their own, and, in some states at least, they enjoy in common an alleviation of the military service. In social life they all mingle freely together, and their friendships and intimacies are almost invariably regulated by a similarity of tastes, in the rarest instances by the similarity of pursuits. A community of feeling like this cannot be made, — it must grow up with a slow, organic growth. The history of our professional schools, which are mostly the creation of recent times, established as separate departments, each complete in itself, and standing alone like the Cyclops, —

θεμιστεύει δὲ ἕκαστος
Παίδων ἠδ' ἀλόχων, οὐδ' ἀλλήλων ἀλέγουσιν, —

* The Senate consists of the Rector, the Rector of the preceding year, the Deans of the Faculties, four Ordinary Professors elected by the Ordinary Professors, and the University Judge. We give it as laid down in the Statutes of the University of Bonn, which have been our guide in the above account.

forbids the idea of such an all-pervading sentiment of unity. For anything like this we must look to the old-fashioned American college, which has come down to us side by side, and of a piece, with our law and forms of government.

The other conception of university as a *universitas litterarum* or *studiorum* is not fully represented by anything in this country. The three Faculties of Theology, Law, and Medicine correspond, as far as they go, in many respects, to the German idea. But they certainly do not complete the cycle of human knowledge, and the scientific schools attached to several colleges, useful as they have proved, indicate, by their circumscribed name, something far short of a German Philosophical Faculty. How far this faculty may be filled out, and the German idea of a universality of studies realized in our day and generation, we will not undertake to guess. To carry it out in the German spirit would require our professional schools, as a first condition, to bar their doors against all but college graduates; secondly, it would demand the exclusion from them of a considerable proportion even of college graduates, unless the usages of our colleges were so altered as to dismiss annually all incapable of passing a rigid examination; and, thirdly, it would imply a pretty radical change in our national habits and whole social organization. If the crowds of people who flock quadriennially to Washington, with shiny carpet-bags, black Kossuth hats, and gray shawls fastened with steel pins, anxious to get a judgeship, a diplomatic situation, or any high post in administrative service, were obliged, as a *sine qua non*, to pass an *examen "rigorosum,"* then indeed we might expect to see universities of the German stamp, with their seats filled with an attentive auditory. But with our form of government, allowing to individual whim its fullest fling, with the natural impatience of American youth to plunge into the whirl of life, and with the manifold calls to instant work in a country where the harvest is great and the laborers few, such conditions could hardly be imposed.

ART. VIII. — *The Slave Power: its Character, Career, and Probable Designs. Being an Attempt to explain the Real Issues involved in the American Contest.* By J. E. CAIRNES, M. A., Professor of Jurisprudence and Political Economy in Queen's College, Galway, and late Whately Professor of Political Economy in the University of Dublin. New York. 1862.

IN the work before us, Professor Cairnes, by presenting to the English public the question at issue in a clearer and truer light, has done our country, in its efforts to suppress a gigantic rebellion, a real service. And so far as the public sentiment of England, especially amongst her ruling classes, has been partially and erroneously formed, — from whatsoever cause, whether of ignorance of the structure of our social system, or of the factions and interests which have combined to precipitate upon the country the present civil war, — he has done her an equal service in correcting that sentiment. If, however, it springs not from ignorance, but from a perverse determination to misrepresent our country, the work will fail of accomplishing all an impartial mind could wish; and yet its influence in moulding English opinion, even at this late day, must be very great. For, as we shall see, it holds up to view the Slave Power in a light which, to England, must be anything but agreeable, and which must make her pause before interfering in behalf of the Confederate States.* She can never so far forget the sentiments of Wilberforce and of Sir Fowell Buxton, and the work which they accomplished, as to become the champion of human bondage. If, as a general thing in British policy, self-interest is the controlling principle of action, we have confidence to believe, nevertheless, that her repugnance to chattel slavery rises high above this; and that, however prominently in the nation, as in the individual, love of material prosperity may be developed, rarely are moral ideas

* This point is well put by "Historicus," in the London Times: "To my mind, *in the one word 'slavery' is comprehended a perpetual bar to the notion of English mediation as between the North and the South,* — a bar to amicable mediation, because it would be futile; to forcible intervention, because it would be immoral."

and good character openly sacrificed for a temporal advantage never so paramount.

Professor Cairnes addresses himself to his work in an earnest yet temperate spirit, and with more impartiality and candor than is usual on so delicate a theme. Slavery, as developed in our country, he discusses with philosophic completeness, tracing it in its economic, social, political, and moral bearings, and aiming to elucidate a question of vast interest to mankind. Few readers will fail to admit his general fairness; and in our own country, where great difference of opinion prevails, and where whatever may be said is looked upon either as partisan defence or antislavery denunciation, the work will be thankfully accepted as a judicious and truthful view of the case. Those who agree with the author will feel confirmed in the strength of their position, and such as may take issue on the whole or part of the ground gone over, will find that they have something more than inflammatory declamation to refute. The facts are compactly grouped, the reasoning clearly conducted, and the conclusions unavoidable. Professor Cairnes does not conceal his hostility to slavery on moral grounds, but it is such as the best minds in all lands feel, and it surely cannot vitiate his positions so far as they rest on facts. If he labors under the disadvantage of being a foreigner, and therefore may be less familiar with the history and movements of public affairs, — so far at least as these must be felt by close contact with them, — a double compensation will be found, first, in the fact that he *is* a foreigner, and therefore not entangled in the politics of the country, which so far forth might militate against his testimony, and, secondly, in that his is the work of a scholar in his quiet retreat, where, out of the range of disturbing causes, he has wrought his material and studies into compact form. His, then, is the testimony of an impartial philosopher on a question viewed wholly in the light of its facts. We doubt not the work will receive a welcome and candid hearing on this side the water, as due to one who has so ably, and so judiciously, and so kindly too, stated our cause to a British public.

Professor Cairnes discusses his subject under the following general heads: The Causes of the War, The Economic Basis

of Slavery, Internal Organization of Slave Society, Tendencies of Slave Society, Internal Development of Slave Society, External Policy of Slave Society, The Career of the Slave Power, Designs of the Slave Power, and General Conclusions. After first clearing the ground of some pretexts for the rebellion, which were put forward for English ears and in reality to hide the covert aim of the Slave Power, the author gives what he considers the real cause of secession, showing that it is not an "isolated phenomenon," but had its origin deep in the heart of American politics, of which slavery was the grand problem, and is a result feared in the earlier history of the republic by some of her greatest statesmen.

"The real and sufficient cause of the present position of affairs in North America appears to the writer to lie in the character of the Slave Power, — that system of interests, industrial, social, and political, which has for the greater part of half a century directed the career of the American Union, and which now, embodied in the Southern Confederation, seeks admission as an equal member into the community of civilized nations. In the following pages an attempt will be made to resolve this system into its component elements, to trace the connection of the several parts with each other, and of the whole with the foundation on which it rests, and to estimate generally the prospects which it holds out to the people who compose it, as well as the influence it is likely to exercise on the interests of other nations; and if I do not greatly mistake the purport of the considerations which shall be adduced, their effect will be to show that this Slave Power constitutes the most formidable antagonist to civilized progress which has appeared for many centuries, representing a system of society at once retrograde and aggressive, — a system which, containing within it no germs from which improvement can spring, gravitates inevitably towards barbarism, while it is impelled, by exigencies inherent in its position and circumstances, to a constant extension of its territorial domain." — pp. 25, 26.

In this country public opinion has been much divided as to the cause of the present rebellion. It is largely controlled, we think, by political bias and association. It is affirmed with great positiveness that slavery is the cause of the war, and with equal positiveness denied. As a matter of majority, *that* seems to be in favor of the former position, which also is the growing opinion of the leading minds of the nation. To this view of the subject, too, nearly all the most decided Union

men of the Border States have given their adhesion, as well as such men as Robert J. Walker of Mississippi and Colonel Hamilton of Texas. These witnesses are valuable mainly as knowing more accurately the secret influence of the Slave Power, and the *nexus* which binds it together, and as therefore likely to understand better the actual origin of the rebellion. Still, majorities are nothing in determining the question at issue, unless we can see adequate reasons which secured such a verdict. As between the disputants, however, the former have undoubtedly the truth on their side, though the proposition that slavery is the cause of the rebellion is not free from ambiguity, while the latter are guilty of confounding things which ought to be kept separate. When it is said that slavery is the cause of the rebellion, we understand it to be so in this sense: that the Slave Power is such a social, political, economic organization, with such a spirit inherent in it, that, if checked in its aims and demands, it will smite the power which seeks to govern it;*—just as we say a sinful moral agent is such a being, that, when the law of God would check him in a rebellious career against the Ruler of the universe, he would, if possible, overthrow the very throne of God himself. Slavery, however, is not the cause of the rebellion in the sense that it inevitably leads to rebellion, or else we should see that to be the invariable sequence wherever it exists. They do not stand necessarily related to each other as gravitation and matter do, so that the latter, if freely subjected to the influence of the former, must gravitate unavoidably. In moral questions, too, the cause and effect, though united by an inflexible law of sequence, cannot be so accurately and so simply stated. But slavery in a free government, legally under the control of the government as respects its expansion, may, when such control is exercised, become the substantial cause of rebellion, by asserting the right to expansion. In this case

* It is assumed that any control by the government over the subject of slavery will be just and within constitutional limits. We are aware that there are those who deny to Congress any right to legislate with reference to slavery in the Territories; but we are not bound to consider the policy which has been inaugurated within the past eight or ten years, opposed to that of the government in former years, as the correct one in regard to law or constitutional power.

it becomes the aggressor, and therefore the cause of any collision which may spring from it. When, therefore, slavery is assigned as the cause of the rebellion, it must be in this qualified sense, — that its history, aims, and spirit in this country have been such as to constitute it the cause of our present troubles.

Those who deny that slavery is the cause of the rebellion fail to distinguish between a thing as in itself inevitably the cause, and the same thing in certain relations as the cause. For example, the existence of man is not the cause of the evils which flow from his conduct; but it is just to affirm that the existence of man as a depraved being is the cause of such evils. Hence, it is said, we may begin anywhere, and the argument is equally valid. If slavery is the cause of the rebellion, then the existence of the African is the cause of slavery, and so on. Here are two fallacies; — first, that of confounding antecedent with cause; and, secondly, that of assuming that the existence of a race in a cruel bondage, which ultimately rests on unmitigated wrong, is as legitimate a state of existence as that of the race itself. This position is absolutely blasphemous. Needs it an argument to show that the existence of a race of people from the hand of God is a different thing from their existence in a state which the cupidity and the depravity of man have created for it? Is it possible that any one can soberly assert, that the causal connection between the slave power and the rebellion is no closer than that between the free African, and his condition as a slave? Is it not a law of morals, that wrong uninterrupted stands in immediate causal juxtaposition with other wrong? Is there anything in the nature of a free African, that places him inherently in a servile state? And is there not something in the nature and spirit of a power, whose very corner-stone is the subjugation of an inferior race to perpetual bondage, that holds in solution some undeveloped evil, if occasion offers? But why pursue a question which ought to be plain to every mind capable of fair and consistent reasoning? We will, therefore, only add, by way of confirming our position, the opinion of one who, as to the cause of the rebellion, is in every way competent to judge. "Slavery," says Mr. Stephens, Vice-President of the Southern

Confederacy, in his celebrated Atlanta speech, — "Slavery was the immediate cause of the late rupture and present revolution." Mr. Stephens, who is thoroughly informed in reference to the issue between the North and the South, and who is as well acquainted with the institution of slavery as any man in the country, does not wriggle in stating the cause of the rebellion. He understands the logic of the case, and is not afraid to put it. If the South does not know what the moving spring of this rupture was, then it were idle to ask who does. Thus, distasteful as Professor Cairnes's statement of the cause of the rebellion may be to some on this side of the Atlantic, it is not only a philosophic one, well sustained by a view of the whole subject, but also corroborated by witnesses who are now the "head and front" of the rebellion.

In order to know how the Slave Power could produce an effect so stupendous as the present rebellion, we must seek an intimate knowledge of its real character. In the work under review, this is accomplished with thoroughness, and we believe in the main with truth. It is not a tirade against the cruelties and the barbarisms of American slavery, — for of these scarcely mention is made; but an investigation of its laws and principles of life, its influence on society and manners, its relation to industry and commerce, to education, mechanism, politics, law, and progress. Slavery, as a social and political element in our country, is governed primarily by its economic basis, and must, therefore, be regarded first as an industrial system.

> "The political tendencies of the Slave Power, as will hereafter be seen, are determined in a principal degree by the economic necessities under which it is placed by its fundamental institution; and in order, therefore, to appreciate the nature of those tendencies, a determination of the conditions requisite for the success of slavery, as an industrial system, becomes indispensable." — p. 33.

Slavery, once a common feature in all the American Colonies, soon died out in those north of the Delaware, while in the Colonies south of that estuary it became permanent as an industrial system, and has been the great moulding power, socially and politically, in the Southern States, commanding obedience to its necessities. The cause of this difference in

the fortunes of slavery North and South has been sought in various circumstances. Difference in the character and social habits of the settlers has been assigned as the reason why slave labor in the North has given way to free labor, and at the same time has become firmly rooted in the Southern States. Labor to the Northern colonists was the natural condition of life; not so of the aristocratic emigrants who went to Virginia and the Carolinas. It is said, also, that the climate of the South is too severe for white labor. This is not sustained by facts, either as regards European countries in the same latitudes as those of the Southern States, or as regards the Southern States themselves. It is not true of Texas, where free German colonists perform all the labor of cultivating the staple crops of the South; and in the larger cities white labor on the wharves and the levees is almost exclusively employed. So, too, negro indolence is considered a reason why slavery exists at the South. This, if true to the facts as developed in the West India emancipation, would be a reason why the present negro population should be compelled to a state of subordination, so as to make them producers as well as consumers, but can furnish no reason why the South should seek to extend the institution over vast unsettled territories. The effect should be to restrict its limits, and thus to diminish proportionally this indolent population. For it certainly will not be claimed that the South now, or at any time, needed expansion in order to employ a present slave population. She has sought expansion of territory for the double purpose, first, of increasing her slave population, and, secondly, from this as a base, of augmenting her political influence in the government.

But the true cause of this difference in the increase and diminution of slavery North and South must be sought in the peculiar advantages and disadvantages which slave and free labor possess as systems of industry in the United States. It has been subject, as we shall see, entirely to economic laws. The advantages and disadvantages of slavery are stated by Professor Cairnes in the following language.

"The economic advantages of slavery are easily stated: they are all comprised in the fact, that the employer of slaves has absolute power over his workmen, and enjoys the disposal of the whole fruit of their

labors. Slave labor, therefore, admits of the most complete organization; that is to say, it may be combined on an extensive scale, and directed by a controlling mind to a single end, and its cost can never rise above that which is necessary to maintain the slave in health and strength.

"On the other hand, the economical defects of slave labor are very serious. They may be summed up under the three following heads: it is given reluctantly; it is unskilful; it is wanting in versatility.

"It is given reluctantly, and consequently the industry of the slave can only be depended on so long as he is watched. The moment the master's eye is withdrawn, the slave relaxes his efforts. The cost of slave labor will, therefore, in great measure, depend on the degree in which the work to be performed admits of the workmen being employed in close proximity to each other. If the work be such that a large gang can be employed with efficiency within a small space, and be thus brought under the eye of a single overseer, the expense of superintendence will be slight; if, on the other hand, the nature of the work requires that the workmen should be dispersed over an extended area, the number of overseers, and therefore the cost of the labor which requires this supervision, will be proportionately increased. The cost of slave labor thus varies directly with the degree in which the work to be done requires dispersion of the laborers, and inversely as it admits of their concentration. . . . . .

"Secondly, slave labor is unskilful, and this, not only because the slave, having no interest in his work, has no inducement to exert his higher faculties, but because, from the ignorance to which he is of necessity condemned, he is incapable of doing so. In the Slave States of North America the education of slaves, even in the most rudimentary form, is proscribed by law, and consequently their intelligence is kept uniformly and constantly at the very lowest point. . . . . He cannot be made to co-operate with machinery; he can only be trusted with the coarsest implements; he is incapable of all but the rudest forms of labor.

"But, further, slave labor is eminently defective in point of versatility. The difficulty of teaching the slave anything is so great, that the only chance of turning his labor to profit is, when he has once learned a lesson, to keep him to that lesson for life. Where slaves, therefore, are employed, there can be no variety of production. . . . . This peculiarity of slave labor, as we shall see, involves some very important consequences." — pp. 38 – 40.

The labor, as thus described, came into direct competition

with free labor, as existing in the North American Colonies. Professor Cairnes shows that, among peasant proprietors, no such organization as takes place in slave labor is possible to any great extent, because each one works on his own account, and without reference to the plans and labors of his neighbor. He is the owner of his lands and his toil, and therefore reaps the fruits of his efforts. Neither is the free-labor system of the North capable economically of distribution, as is the case with the slave-labor system of the South, where the staples are such that all the members of a slave family can be profitably employed, as in the raising of tobacco, in which the women and children perform all kinds of labor, and an amount that adult males could hardly exceed. What now is performed by these two classes of laborers under a slave system cannot be accomplished in a free-labor community; for both of these factors are otherwise engaged, — the first in domestic duties, the other for a time, at least, in attending school.

This difference in the two kinds of labor must be viewed in connection with another fact, namely, that the line which divides the Northern States from the Southern marks also in the main the boundary between different classes of crops. North of that line the soil and climate are best suited for grains, whilst south of it the staple products are cotton, tobacco, sugar, and rice. For the cultivation of these latter in the most successful way, we need a larger number of laborers on a given territory than for the cultivation of the former on the same territory; for one person can efficiently conduct the labor for twenty acres of grain, whilst the same number of acres in Southern crops would require at least eight or ten. This combination reduces the expense of slave labor, first, in overseers, and secondly, because the slave, being reluctant, can thus be kept at work. The inference then is, that slave labor, which can be successfully organized, is well adapted to the productions of the Southern States, but quite the reverse for those of the Northern sections of our country, because for these combination is not required, and slave labor here would be too expensive. In this, then, is found the reason why slavery in the South has become so firmly rooted, whilst at the North it easily yielded to other forms of industry. We see,

also, that, in those portions of the South which are suited for Northern crops, as in the higher lands of Virginia, Kentucky, Tennessee, and Georgia, slavery has failed to be the exclusive form of labor.

As combination compensates for the reluctance with which slave labor is performed, so Professor Cairnes points out, also, that its unskilfulness needs the advantage of a fertile soil, in order to make it profitable. Where the soil is thin and light, it is, under a free-labor system, subjected to skilful and elaborate modes of cultivation; but this is scarcely possible, at least to any marked extent, in slave labor, where the implements of culture are of the rudest and most clumsy character. And to meet still another disadvantage of slave labor, — its want of versatility, — we need an unlimited extent of fertile soil, on which it can be employed as the older lands become exhausted. The ignorance of the laborers precludes the adaptation of crops to the new demands of worn-out soil, because, if a slave is educated to the cultivation of tobacco or rice, to this he must be kept for life, in order that his labor may be profitable. The result is, that, as lands become exhausted, they are exchanged for new soil, and the same process of exhaustion is repeated. The economic laws of slavery, then, are these: first, that it shall be employed in the production of crops, in which combined and organized labor is possible; and, secondly, that it shall be unrestrained in the occupation of new and fertile lands as fast as the old become effete. These conditions will show why slavery exists in the South, and not in the North.

These positions are well taken, if we observe a few facts affecting the whole question. Slave labor must be concentrated, in order to be economical; for the negro has every motive to do as little as possible. In a free-labor system labor is dispersion, for the obvious reason that the laborer is not owned by another. Now free labor has nothing to gain by combination. For example, ten farmers in the North, owning each a hundred acres of land, could accomplish for themselves as much, and as economically, if each took care of his own farm, as if they should combine them into one, and at the same time organize their labor into one effort. It would require for its

cultivation the same time, the same labor, the same outlay, in the one case as in the other. But these same thousand acres, under slave cultivation for the proprietor, cannot be wrought so economically, because the crops peculiar to the North, as a general thing, do not admit of combination of effort; and therefore the negro, in order that he shall do as much labor as a freeholder of the North, must be kept under strict oversight, and this would, for example, in the case of grain culture, require several persons in the capacity of overseers. But we may invert the case. A thousand acres at the South under slave labor, and directed to Southern products, can be conducted more economically than the same number of acres could be if cultivated by free labor. Here, again, we may take the whole number of acres in a mass, or divide it into ten or twenty equal parts. Under the first condition, the proprietor must be at greater expense in the employment of free labor than if he employed slave labor, because the wants of the former are greater, from the fact that he occupies a higher level in civilization. The free laborer's wife would hardly toil side by side with her husband in the cotton or rice fields, and, as essential to a free population in a country like ours, his children demand of him the privilege of a common-school education. Under the second condition, the same is true. The owner of fifty or a hundred acres of land either does his own work, and in that case the expense of his family must be deducted from his earnings, or he employs free hired labor, and then this condition is the same as in the first case. It ought not to be inferred that slave labor in the South is, therefore, most advantageous for the creation of wealth. It is cheaper under certain circumstances; but the existence of free labor, as we have seen, creates greater demands, and therefore develops industry in other directions, where skill and knowledge are required, and therefore corresponding remuneration.* Hence slave labor is unsuited to manufactures and commerce. Under the one system wealth is concentrated; under the other, distributed.

From the fact that slave labor admits of organization, — and this is its single merit, — and must be conducted on a large

* "Facts show that free labor is more productive of wealth than slave labor." — Robert J. Walker in the Continental Monthly.

scale in order to the greatest profit, Professor Cairnes traces its connection with and relation to large capital. This, however, does not exist in the South or in slave-labor communities, and therefore is sought elsewhere on the credit of the coming crop. What is the result of this economic law? That the large proprietories become larger, absorbing the smaller ones, so that wealth is massed with a few persons. "Our wealthy planters," says Mr. Clay, "are buying out their poorer neighbors, extending their plantations, and adding to their slave force. The wealthy few, who are able to live on smaller profits, and to give their blasted fields some rest, are thus pushing off the many who are merely independent." But the slave labor is confined to the best lands. These, therefore, are constantly growing less, whilst the waste tracts are ever enlarging. What will become of these? Will they, while slavery exists in any strength, be cultivated by a free-labor population? "This," as Professor Cairnes says, "is a moral impossibility," because of the exclusiveness of the system. These two kinds of labor will not blend on the same territory. The free laborer refuses to settle in a country where all that is degrading is associated with his occupation. The result is, that the thrift we see in the North, in all departments of industry, is not found in the South;* for that large class of people known as "white trash," or "crackers," does not, as in the North, form regular habits of industry, but is an idle, shiftless, vagrant community, too proud to work, because that would place them on a level with the slaves; and thus is lost to that section of the country so much productive energy. Why, for example, is Virginia, with all her natural advantages, less populous and wealthy than New York or Pennsylvania? It is because, first, the labor is, in the main, confined to slaves; secondly, this is best adapted to agricultural pursuits, on the two conditions of good soil, and plenty of it; and therefore, thirdly, her inferior class of lands, which in Pennsylvania and New York are made remunerative under a peasant proprietorship, yield her no material strength, because not wrought by her poor white population to any great

* Democracy in America, Vol. II. p. 222.

extent. In New York and Pennsylvania, almost the whole population is productive, either in agricultural pursuits or in manufacturing industry.

The impression which is left by Professor Cairnes's work, as respects the poor white population of the South, we think needs some qualification. They are indeed an ignorant, restless, vagrant class, and add almost nothing to the material prosperity of the country; but to say that they are "little removed from savage life, eking out a wretched subsistence by hunting, by fishing, by hiring themselves out for occasional jobs, by plundering," is to place them on a level with the wandering tribes of Central Asia, with habits as nomadic, as lawless, and as little responsible to government as theirs. We must never forget that these poor whites are in a civilized land, and under the same laws which govern the better and ruling classes of the South, and therefore cannot be so far removed from civilized life as Professor Cairnes's statement would seem to imply. That they are idle in a degree which we do not see the same classes at the North, is owing entirely to the system of labor which the South employs; that they are ignorant as no class of persons is at the North, is manifest from the great numbers of white adults who cannot read nor write; and that they are degraded in their social habits and manners, is apparent from the very term with which they are designated by the slaves, — "white trash." They are the necessary result of the system, social and industrial, under which they live. "The planters complain of these people for their idleness, for corrupting their slaves, for their thievish propensities; but they cannot dispense with them; for, in truth, they perform an indispensable function in the economy of slave societies, of which they are at once the victims and the principal supports."

Now, with wealth chiefly in the hands of a few; with labor confined to a distinct class, and regarded as disreputable for any other; with a population — more than half of the whole population of the South — "which lives dispersed over vast plains," — where, in a free government like ours, will the political power of such a community reside? We might infer from its constitution, did we not know as a matter of fact, that

it would be in the hands of the rich proprietors. They are its representatives. They shape its political action. Opposition to them, therefore, is incapable of being organized.

"The polity of such a society must thus, in essence, be an oligarchy, whatever be the particular mould in which it is cast. . . . . A society so organized tends to develop with peculiar intensity the distinctive vices of an oligarchy. In a country of free labor, ... the pursuits of industry are various. Various interests, therefore, take root, and parties grow up, which . . . . . become centres of opposition. . . . . It is not so in the Slave States. That variety of interest which springs from the individual impulses of a free population does not here exist. The elements of political opposition are wanting. There is but one party . . . . . who are capable of acting together in political concert. The rest is an undisciplined rabble. From this state of things the only possible result is that which we find, — a despotism in the last degree unscrupulous and impatient of control, wielded by the wealthy few."

As this oligarchy holds sway in its own section of the country, so it has happened that, in alliance with an element in the North, it has ruled also in the councils of the nation, and in the main controlled its foreign and domestic policy. Professor Cairnes argues that the peculiar vices and defects of American character are not wholly, nor in any great degree, owing to democratic institutions, but to the fact that these institutions have been directed by the worst kind of despotic power. This it is that has organized out of its vagrant population filibustering expeditions against Central America, against Cuba, and at an earlier period against Texas. This it is that invades a feeble neighbor with a powerful army, in order to wrest from her immense domains over which to spread the peculiar institution, and to augment its power in the nation.

In a system so organized socially and politically, is there anything which can furnish a reasonable hope for improvement? Is slave society tending toward a higher or a lower civilization? Professor Cairnes feels the full weight of this question, and he has brought to its discussion a breadth of view and a wise discrimination, which make this part of the work one of singular value. Slavery is not a new fact in the world. On the contrary, it existed in all the nations of antiquity, as well as in mediæval and more modern states, — among

the Hebrews, the Greeks, and the Romans, in France, in Spain, in England; and therefore, if progress in the arts and sciences, in civilization and culture, was not appreciably hindered, both in ancient and mediæval times, by the pressure of a slave population, why may we not expect the same process of improvement and advance in the Slave States of the South? The answer must be simple and easy, if we could predicate of the system in our country the same conditions that it had in antiquity, or in the states of modern or mediæval Europe; or if we could suppose the same elements at work here that wrought in those communities for the improvement of the servile population. But "between slavery as existing in classical and mediæval times, and the system which now erects itself defiantly in North America, there exist the most deep-reaching distinctions," so that all analogy must be abandoned.

Professor Cairnes notices three distinctions. First, the difference of race and color between the slave and his master in the system as it is found in this country. This was unknown among the ancients. Nothing separated the master and his servant except the fact of freedom; but in modern servitude the slave carries with him, even after liberation, the brand of his former condition. He can never be incorporated as a free citizen among his fellow-men, and thus lose the traces of a former degraded *status*. In ancient times, however, this was both possible and common. Again, the development of internal commerce has created a difference between ancient and modern slavery. Commerce did not exist to any great extent two thousand years ago, and therefore each nation was compelled to be the producer of its own articles of consumption; and as far as the tastes and refinement of a people demanded luxuries and the comforts in keeping with a higher form of civilization, skill and intelligence were needed for their production. Consequently, the owners of slaves were led to educate them so as to make them skilful artisans. In Rome the education of slaves was never prohibited, and Gibbon tells us, "that youths of promising genius were instructed in the arts and sciences, and almost every profession, liberal and mechanical, might be found in the household of an opulent Senator." We might easily infer what would be the effect of

such a course as regards emancipation. But how is it in modern slavery? In our own country education is strictly denied to the slave. No necessity clamors that he should be skilful and intelligent, because without these qualities he can be employed in the production of a commodity which is in great demand in the markets of the world, and therefore furnishes the means of easy exchange for the comforts and luxuries of civilized life. All motives, therefore, combine, in order to a more facile control of the servile population, to keep the slave's mind closed to even the dawn of knowledge. We have, then, this singular fact, that, by whatever ratio civilization advances, by the same ratio inversely the condition of the slave becomes worse. A third difference between the ancient and the modern slave systems will be found in the "place which the slave-trade fills in the organization of modern slavery." Of this Professor Cairnes says: —

"Trading in slaves was doubtless practised by the ancients; and with sufficient barbarity. But we look in vain in the records of antiquity for a traffic which, in extent, in systematic character, and, above all, in the function discharged by it as the common support of countries breeding and consuming human labor, can with justice be regarded as the analogue of the modern slave-trade, — of that organized system which has been carried on between Guinea and the coast of America, or of that between Virginia, the Guinea of the New World, and the slave-consuming States of the South and West. . . . . .

"But my object at present is to direct attention, not so much to the barbarous inhumanity of the slave-trade, whether foreign or domestic, as to what has not been so often noticed, — the mode in which it operates in giving increased coherence and stability to the system of which it is a part. Now it does this in two ways: first, by bringing the resources of salubrious countries to supplement the waste of human life in torrid regions; and, secondly, by providing a new source of profit for slave-holders, which enables them to keep up the institution, when, in the absence of this resource, it would become unprofitable and disappear." — pp. 71, 72.

Professor Cairnes then shows how in the Gulf States the consumption of life, if the slave is put to hard work, must be very great. If the supply of labor depend upon the natural increase of slave population in that locality, the increase will be quite inadequate without greater care in the preserva-

tion of life, and this will essentially modify the severity of the system. So, too, without a foreign or domestic slave-traffic, the natural tendency would be to a diminution of the rigidness of slavery. While the foreign slave-trade was allowed to exist, that was the chief source of replenishing the waste of life in the latitudes of the South unfavorable to health and longevity; but when it was no longer permitted, resort was had to the home-traffic. Now, it so happened in the fortunes of the slave system in the Northern Slave States, where, as in Virginia, after first exhausting her rich soils, it was slowly passing away from the encroachments of free labor, and must have eventually died out, that the prohibition of the African slave-traffic was enacted, and thus was created a demand for the surplus slave population not needed for agricultural purposes in those States. The consumption of life, therefore, in the far South has given stability and strength to the waning fortunes of slavery in Virginia and Kentucky, and in an equal degree to the expanding slave dominion in the Southwest, so that the increase in the price of slaves advanced fully a hundred per centum, and consequently the increase of numbers has kept pace. Thus, then, between the Northern and the Southern Slave States is created a reciprocal advantage: the one finding a market for its surplus slave population; the other having a large area suited for rapid and healthful breeding, from which to replenish the fearful waste of life occasioned by exhausting toil in an oppressive climate.

"Thus, as the domain of slavery is extended, its organization becomes more complete, and the fate of the slave population more harsh and hopeless. Slavery in its simple and primitive form is developed into slavery supported by a slave-trade, — into slavery expansive, aggressive, destructive of human life, regardless of human ties, — into slavery in its most dangerous and atrocious form; . . . . . and the condition of facts which it discloses goes far, as it seems to me, to establish the conclusion, that it is a structure essentially different from any form of social life which has hitherto been known among progressive communities, and one which, if allowed to proceed in its normal development undisturbed by intervention from without, can only conduct to one issue, — an organized barbarism of the most relentless and formidable kind."— p. 78.

Thus, it will be seen that no progress in civilization is possible in the direction in which slavery is tending, as regards the slave. Instead of the system growing milder, it is now more severe than ever, owing to the causes just stated. But what of the poor whites? We have seen that they are the necessary result of the system of labor at the South, and therefore, as long as that exists, the germs of a higher order of civilization cannot be sought in them. They will never become industrious and thrifty by the side of slave labor; nor intelligent and educated as the poorer classes at the North are, because in slave communities, population, being governed by laws of increase peculiar to itself, can never become dense, a prime necessity for the education of the masses of mankind. The population of Virginia, though the State was settled two centuries and a half ago, is, including the slave population, only *twenty-three* persons to the square mile, while in the free States of New York, Pennsylvania, and Massachusetts, settled more recently, and where the conditions of increase are less favorable, we find a population of *eighty-three* persons to the same area. In the former, population increases by dispersion; in the latter, by concentration.

Shall we, then, look for progress in Southern society, in the expectation that the slave-holders will voluntarily be induced to abandon the system, and thus, changing the whole productive energy of the country, make room for free labor and for all its accompanying elements of civilization? For them as slave-holders we cannot hope a different type of social order from that which has always existed amongst them. The elements which have wrought in the social system of the South to make it what we now find it, will, if uninterrupted, continue to produce the same results. If, however, the Slave Power should accept emancipation for the future, then we might expect a different state of things. Southern society would in a very short time be characterized by every advantage and excellence which we see in free communities. But will the South accept such a course for future action? Her condition is not analogous to that of the Northern States which abandoned the system. In these it had no deep root, and therefore could be broken up without in the main disturb-

ing the structure of society. Far otherwise, however, would it be in the South. There the system is firmly seated, — wrought into the very fibres of social organization, constituting from a third to one half of the population of the several States, and therefore even the most gradual process of decadence in its strength would occasion more or less disturbance, both in her industrial and in her social condition. The people of the South are not favorable to so large a number of slaves being set free amongst them. Besides, they love the system independently of its industrial basis. "It is not simply," says Professor Cairnes, "as a productive instrument, that slavery is valued by its supporters. It is far rather for its social and political results, — as the means of upholding a form of society in which slave-holders are the sole depositaries of social prestige and political power, as the 'corner-stone' of an edifice of which they are the masters, — that the system is prized." It has tinged their ethical code, and what was by the founders of the republic regarded as an evil in every respect, is now accepted as the only natural condition of the negro. Jefferson "trembled for his country when he reflected that God was just," and declared that "the Almighty had no attribute which could take side with slave-owners," should the slaves rise. But such morbid moral instincts as these words betray have been corrected by the benign and humane influence of slavery, and the views of Jefferson and his compeers are rejected as erroneous and unphilosophical. "The ideas entertained at the time of the formation of the old Constitution," says Vice-President Stephens, "were that the enslavement of the African race was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically. Our new government is founded on exactly opposite ideas; its foundations are laid, its corner-stone rests, upon the great truth, that the negro is not equal to the white man; that slavery — subordination to the superior race — is his natural and moral condition. . . . . To suppress slavery would be to throw back civilization two hundred years." With such ideas current in the Southern mind, we should hardly expect that the Slave Power, if left to itself, would inaugurate a system of emancipation on any scale, whether gradual or rapid, and we therefore

cannot hope for any great improvement in slave-holding society. If it come, it will be by the force of events over which the Slave Power has little or no control. It must bend to the storm which it has raised over its own head. Already Missouri is moving into line, taking position morally, and socially, and pecuniarily, as she does geographically, by the side of free Illinois. Maryland seems likely to follow the noble example, and thus the movement for getting rid of slavery in the Border States will have gathered such momentum as to grind to dust some of Kentucky's fossile politicians, who are doing all they can to bind her to the Juggernaut-car of slavery. Let her remember Henry Clay's scheme for working free from the blighting system, and arise from her degradation, and be strong in all that makes a State great and noble, and across the beautiful Ohio send the glad shout of emancipation. Kentucky! we love thee for the ashes of thy matchless orator, statesman, philanthropist, patriot!

From love of the system as affording a peculiar social and political organization in every way agreeable and advantageous to those who own such labor, a chief aim of the Slave Power has been to protect itself against encroachments. Preservation has been the first law of its political action; and leading men in the South, who are best acquainted with the laws of slave institutions and slave society, have long since seen that, if slavery is hemmed in and not allowed to expand, it must soon cease to exist. As Judge Warner of Georgia says: "There is not a slave-holder . . . . . but knows perfectly well that, whenever slavery is confined within certain specified limits, its future existence is doomed." Its economic necessity is expansion, and therefore, in view of an event so inexorable as that stated in this confession, the Slave Power has been led to act with great singleness of aim. From the time that such a result was clearly disclosed in the workings of slave labor, in connection with the love of the system, and that it was seen to be remunerative only under certain conditions, the Slave Power has entered into the politics of the country, and sought in every way to control its action. How successful it has been, we shall see in the sequel. Meantime, several things combined to hasten the expansion of slavery over new territories which

lay in its ambitious path. First, agricultural interests are not so firmly fixed as mechanical and manufacturing. Secondly, the tastes and feelings of the slave-holder are formed under a system which is calculated to secure anything but a tolerant spirit; and thus from being obeyed with absolute submission in the sphere where they rule, and seeing that slavery gives them a certain kind of superiority, springs the ambition for a large lease of power. Here, then, is the grand motive for extending the institution, because in this is concentrated a common and almost exclusive interest among slave-holders, so that they are held together for any political purpose by a single overmastering motive, — the expansion and preservation of a system, in order to give them a dominant influence in the policy of the country.

Notice, now, how their love of power was propitiated. As, from the nature of their industrial system, population could be increased to any considerable degree only by expansion, they aimed at this for two reasons: first, to augment their numerical strength in the lower house of Congress, because by a special provision of the Constitution three fifths of the slaves are reckoned in the basis of representation; and, secondly, in the upper house of Congress they had a yet greater advantage than the three-fifths rule; for there the representation of the States is equal, without regard to size or population. If, now, new Slave States could be rapidly multiplied, irrespective of the density of their population, they would be masters of the Senate, and thus could maintain their wonted rule. But even with such favorable circumstances on the side of the Slave Power, it was evident that the time was rapidly drawing nigh when the superior energy of free labor, of thrift, of intelligence, of a multiplicity of interests, must be more than a match for the South with her single interest, however completely organized or skilfully handled. Its policy has been, therefore, to divide the superior strength of the North, and to form such an alliance as would be most advantageous for itself. This Professor Cairnes finds in the relation of capital, which has always been advanced by the North, to the successful existence of slavery. It would be instructive to investigate how far this commercial interest has, in a political

aspect, gone with the South; yet when we remember how the great city of New York and the shipping interest of New England, especially as engaged in the cotton trade, have steadily voted with rare exceptions, we are not to marvel at the statement, that through the capital of the North the South has exercised a controlling influence in the government. It was the timidity of capital, which cowered basely before the threat of disunion, that emboldened the South to enlarge her demands for her pet institution.

But one other fact, of which Professor Cairnes makes no mention, especially as existing within the last fifteen or twenty years, is deserving attention; namely, the love of power which long exercise of it had created in the dominant political party of the country. In order to gratify this and to perpetuate its rule, alliance with the South was absolutely necessary. Here, however, we meet with a strange fact in the history of our politics. The South was of course proslavery. The North was, with rare exceptions, irrespective of political combinations, antislavery. The former would ally itself to any of the great political organizations of the land, provided a friendly pledge, as a *conditio sine qua non*, was stipulated for her peculiar institution. We do not assert that the terms of such a bargain were definitely drawn up, or could have been easily traced, but such was the actual state of the case; so that the strange fact is, that what was once a question on which the North had scarcely any difference of views, has now divided the Northern States into two great factions, the one antislavery, the other defending slavery, often on Scriptural grounds. In this division of the North lay the strength of the South. She, from her peculiar interest, was not more anxious to gain for its friend an ally at the North, than a dominant organization there, grown old in the exercise of power, and tracing its origin to Jefferson, whose name, honored by a Jackson and a Silas Wright, was a tower of strength, was to perpetuate its rule by binding the South to itself in political action. Truth demands that it be said, a party there was, whose love of power was stronger than that for its past record on the vexed question of slavery. With this party a coalition was formed, and the South maintained its controlling influence in the govern-

ment, and had so far subsidized this new ally to her demands as not to tolerate the least hesitancy in granting all she claimed for slavery.*

Slavery, once established in the country, created, as we have seen, a peculiar social organization, in which the slave-holders are an aristocratic oligarchy. The influence of this oligarchy developed itself in the politics of the land, as well as in the local politics of the South. It had ample motive to seek power; for thus it could throw about its system the indirect, if not the direct, force of the federal government, in granting it free expansion over the unoccupied territories. Professor Cairnes traces in the seventh chapter of his book, with a vigorous pen, the stages of the career of the Slave Power. We need not pause on these. They are fresh, many of them, in the memory of the American people. But no candid mind, we think, can fail to see that the South, from the time that Missouri was admitted into the Union to the present, has had a definite aim in view, and that was to maintain her supremacy in the councils of the nation. The controversy which the admission of Missouri occasioned was angry and protracted. At length, by a compromise familiar to all, both for the storm which it served in the hands of patriots to allay, and also for the storm which it served in the hands of ruthless men to gather over the nation, the State was admitted into the Union with a slave constitution. This, from the central position of Missouri in the heart of the great Mississippi Valley, was substantially a victory for the South. Next came the annexation of Texas, under the leading of Mr. Calhoun, who to our Minister at the Court of Louis Philippe, Mr. King, declared it to be for the purpose of strengthening the institution of slavery. We all know the train of events which that drew in its path, — the war with Mexico, the acquisition of vast areas of territory, and the reopening of the slavery controversy in 1850, when California was admitted into the Union. From 1820 to 1850 the equilibrium between the Slave States and the Free States had been

* The reader is referred to the Congressional Globe for 1858 – 59, for a debate between the late Judge Douglas and Southern Senators, as to the meaning of the Kansas-Nebraska Bill. With this compare the proceedings of the Charleston Convention.

preserved; but by the acquisition of California to the Free States the balance was disturbed. This was a critical time to the fortunes of the Slave Power. That the South, therefore, should seek to retrieve its lost power was most natural, and the hope of doing this was excited by the fact that the territory lying contiguous to the western boundary of Missouri was suitable for slave labor. But a difficulty almost insurmountable interposed, namely, the territory now composing the State of Kansas, on which the Slave Power had its eye, was covered by the Missouri restriction. That had more than ordinary legislative sacredness, both from the circumstances out of which it grew, and also because it was a compromise. But the Slave Power was inexorable in its demand, and the work of Clay and his compeers must, therefore, yield to the purposes of the South. Little did the authors of that perfidy think of the storm they were gathering upon the nation, so that to-day we are settling at the point of the bayonet what in the Congress of the United States was begun by throwing open the territories to the ingress of slavery. When, however, in the settlement of Kansas, the superior energy of the Free States had defeated the aims of the South, though backed by the most stupendous frauds and by the connivance of the general government,* the Slave Power demanded of the North protection in the Territories for slave property under the Constitution, — a doctrine which originated with Mr. Calhoun, and which, at the time he brought it forth, was denounced by leading statesmen in the country, North and South.†

The controversy which arose in the settlement of Kansas was important, not merely in regard to the immediate interest at stake, but as indicating the *animus* of the South in pursuing its settled purpose. It was unscrupulous in the means it employed. It would secure a slave State at any price, and, failing of this, would, like Samson, pull down upon its head the government under which it has grown to its present proportions, and which for nearly a half-century it chiefly controlled. And the issue finally was presented, either to surrender the government outright to the Slave Power, or to check its de-

* R. J. Walker, in the number of the Continental Monthly for December, 1862.

† Benton's Thirty Years in the United States Senate, Vol. II. pp. 713, 730, 731.

mands at the point of the bayonet. The question, therefore, is pertinent, What shall we expect of the Slave Power in the future, should it succeed in gaining independence? Would it be the same in its essential constitution, or would it be modified by being an independent nation? This is a question of prime moment, both to this country and to the civilized world. Seeking an answer in the light of developments within the past quarter of a century, we have nothing to hope, but everything to fear. Neither the philanthropist, nor the moralist, nor the public economist, can look upon an independent slave empire with feelings of composure. They all see in it, as the grand aim, a purpose to perpetuate the system of human bondage, as it exists in the South. Resting on the same economic laws, it will have the same moral, social, and political bearings. It will in the future, as in the past, demand room for expansion. Its eye will survey with covetous look the West Indies, Mexico, Central America; and yet, as Professor Cairnes tells us, writers who profess to speak for England look with favor upon the efforts of the South for independence, as if *that* were its grand aim, and not the extension of slave institutions. We may view, says our author, its independence under these three conditions: — First, as limited to the Slave States now in revolt. But the South would never submit to such conditions; for it would be the very thing Judge Warner declared slavery could not abide. Or, secondly, having liberty of colonizing the unsettled Territories equally with the North. And here we should have a repetition of the Kansas struggle. The energetic North could anticipate, or more than match, any effort of the South; and would the Slave Power submit to see a cordon of free States planted across her Western boundary, and, as Mr. Spencer says, view the "painful process of strangulation," without an effort to avert so certain a doom? Or, thirdly, that there should be an equal division of the Territories. This latter condition alone would satisfy the South. It is argued, therefore, that, the area of slavery being definitively settled, "hemmed in," slavery would be doomed to ultimate extinction. To this view Professor Cairnes states two points worthy of consideration. First, that the country so "hemmed in" is a territory

nearly as large as Europe, and therefore would of itself afford sufficient room for the development of a most powerful empire; and, secondly, that on the strength of such a result the South might, in some unforeseen international complication of other nations, realize her ambitious projects of establishing her power over Mexico, Central America, and the West Indies. With this, too, would be connected the reopening of the African slave-trade. The audacity of this aim must not blind our eyes to it; for the Slave Power is not moderate in its aims. It is the most completely organized political unit the world has ever seen. It is not merely independence of the Union which the South seeks, but independence of all restraint in accomplishing a cherished purpose. It is, therefore, in view of a result so momentous, and affecting so vitally the interests of civilization, that Professor Cairnes maintains that the only interference by European nations in the present struggle which could be justified, would be on the side of the North. If, in regard to questions of signal moment, it has been considered just by leading statesmen of Europe to interfere with the policy of nations, as in the case of Russia, and in settling the vexed and intricate question of the "balance of power," it would certainly be in accordance with national morality and international right to restrain a power, which has for its central dogma and purpose the subjugation to slavery of an unfortunate race.

Professor Cairnes has a singular plan by which he would bring the American controversy to a close. He would confine the Southern Confederacy within the territory south of the Border States, and east of the Mississippi, and permit the States composing it to go off, and thus slavery would be left to the sure process of decay. Absorption of the remaining Slave States by the North would be possible without any detriment to free institutions and free society. It is confessed that such a plan is possible only on the supposition that the national government should be successful in defeating the Confederate armies, and actually occupying the Slave States to be absorbed. But the question will suggest itself, If we can so far conquer the Confederacy, what would hinder an entire overthrow of the rebellion? Neither would the South surrender the terri-

tory beyond the Mississippi, unless essentially crippled in her strength, and this would only furnish a reason why the government should insist upon unconditional and absolute submission to its authority.

The difficulty of this plan consists in the fact, that it makes the government a willing party to the doctrine of secession. If the government be compelled by an inflexible law of necessity to abandon the effort at restoring its rightful authority, it must make the best of the condition forced upon it; but for the government voluntarily to give its countenance to secession, by admitting its lawfulness, — not, however, in the same way in which revolution is lawful, but as a reserved right of the States, — would be treason against itself. The settlement may involve many more sacrifices and difficulties than we have yet imagined, and perhaps may compel the employment of means such as would be considered extra-constitutional by all men; but the doctrine of secession is so monstrous as not to be tolerated on any ground. Yet, on the supposition that the government has the physical power to force the South into submission to its authority, it is maintained that this would be unjustifiable for two reasons. First, it would be a violation of international morality for the North to subject some millions of people to its government and laws, when they utterly detest such a relationship; and, secondly, in the event of such a course, it is manifest that free institutions and free government must be sacrificed for a time, at least, to military power. For how would it be possible to carry on the functions of a free government, which rests ultimately for its existence upon the voluntary acts of its citizens, when they are opposed to it? Who, in this mass of subjugated men, would there be, either to accept offices of civil trust, or to confer upon others the right to rule?

These are serious difficulties, and are not to be set aside without careful consideration. No nation is warranted in violating great principles of morality for the sake of mere national success. We could scarcely defend the right of the North to impose upon the South its government and laws, if these two sections were nearly equal in civilization. International morality demands that such an arbitrary course be abandoned.

But if the two be widely separate as to the degree of social improvement, it would on the broadest principles of morality be justifiable to subject the South to such dominion. "To suppose," says J. Stuart Mill, "that the same international customs, and the same rules of international morality, can obtain between one civilized nation and another, and between civilized nations and barbarians, is a grave error, and one which no statesman can fall into, however it may be with those who, from a safe and irresponsible position, criticise statesmen." As between the North and the South in respect to their forms of civilization, we would not classify the latter as barbarous, yet we are free to confess that, on the assumption that it is founded on the grand fundamental idea which Mr. Stephens lays down, namely, the enslavement of the African to the will of the white man, it contains within itself the same principles which prevail in the kingdom of Dahomey; and it has this signal infelicity of doing the very thing to others which it refuses to have done to itself. We are aware that this is a most difficult question to settle: how far to go, and where the lines are to be drawn, involves nice discrimination. What is clear is, that international morality allows the subjugation of one nation to the will of another, when such a course will in the main advance the true ends of man. The question is, Would the Southern Confederacy, with its assumptions and aims, be subject to such a rule?

As regards the other difficulty, namely, the overthrow of representative institutions, that resolves itself into the question whether a great representative government like ours should be sacrificed to a dangerous conspiracy. Better rule the South as a dependency for a generation, than to yield the main principle at issue. It may be replied, that this would be a violation of the Constitution, and therefore a virtual overthrow of the government. We ought, however, to make a distinction between the Constitution as a law, or rule of action, and the Constitution as the exponent of certain great principles of free government. We can conceive the exigency when, to save the government, extra-constitutional methods must be resorted to, just as the necessity of martial law for a time overrides the ordinary methods of civil procedure. The employment of

armies in order to execute the laws of the land is a step beyond the common way of executing law; for it will hardly be claimed that the army in this struggle is nothing more than a *posse comitatus*. We must be willing, therefore, to advance to the very outermost limit of power in a contest like the present, and to plant ourselves on the principle that whole masses of men, like individuals who violate law, may be compelled to forego the rights which belong to them as law-abiding citizens. The forfeiture of representative government at the South, whether voluntary or compulsory, would be looked upon as a penalty for crime on a most stupendous scale, and thus would deter a repetition of the same in the future. The government, therefore, is struggling, not for conquest, nor for superiority over the South, but for its own existence; and in this the people, true to their instincts, and alive to the momentous consequences of the issue, are resolved to make every sacrifice in upholding the national authority. They believe that no factious minority has a right to imperil or overthrow a benign government, which was formed for the good of the whole people. They rest upon the immovable truth, that government has a right to be. They brush away the sophistries of bad men, and assert that self-preservation against encroachments which are ruinous to national life is a principle too plain for debate; and they can see nothing of hope for our country except in the success of our arms in subjugating a rebellious population. They insist upon one constitution, one government, for these United States; and whatever of prosperity and of national grandeur is possible in the future, is inseparable from the unity of these States and the perpetuity of our government. These, in less than a century, have conducted us to unequalled strength and glory; and if our generation has the virtue and the patriotism of that which inaugurated our national life, we may yet surmount the difficulties which lie in our path. Government will be supreme, law will be respected, and the rights of man vindicated. We shall be both the possessors and the defenders of "Liberty and Union, one and inseparable."

ART. IX. — *A Latin-English Dictionary.* By REV. JOHN T. WHITE, M. A., of Corpus Christi College, Oxford, and REV. J. E. RIDDLE, M. A., of St. Edmund Hall, Oxford. London: Longman, Green, Longman, and Roberts. 1862. pp. 2103.

THIS is at least the fourth Latin-English Dictionary founded on Freund. The first was Mr. Riddle's book, taken principally from Freund's smaller Dictionary. The second was Dr. Andrews's well-known translation, or rather the translation of Messrs. Robbins and Turner, which passes under the name of Dr. Andrews. The third was an English revision and reprint of Dr. Andrews's Dictionary, made by Dr. Smith, editor of the popular compilations of Greek and Roman Antiquities, Biography, and Geography. This new Dictionary of the two Oxford gentlemen is a second recast of the American translation, but with modifications and additions so important, that Mr. White, who seems to have had the largest share in preparing it, claims that "it is entitled to the character of a new work."

All these Dictionaries have one feature in common. They are manufactured works. The editors have revised them, corrected them, and added to them; but they have not fairly mastered their subject, gone back to the fountain-head, and drawn again at first hand from the ancient sources. They are manufactured works, Mr. White's as well as the rest.

The present work has passed through the hands of three editors. First, Dr. Freund himself revised the Andrews translation, correcting the etymologies and occasionally pointing out Sanskrit analogies, and added from his own collections new words and new meanings of words; Mr. Riddle then compared it with the German original, making such alterations and additions as seemed desirable; and, lastly, Mr. White took the corrected copy, rearranging or rewriting many of the articles, and embodying in it a large mass of additional matter. The English Dictionary has thus become one third larger than the American.

Many of the additions are words and definitions from the Vulgate and ecclesiastical works, to which little attention has hitherto been paid by lexicographers. It is certainly a practi-

cal convenience — particularly for the readers of patristic literature — to have a dictionary in which the Latin of a later age is incorporated. We doubt, however, whether Mr. White has set out with a clear idea in his mind of the difference between a manual and a thesaurus, and whether it would not be better to increase the classical part of the dictionary first, as the amount of unclassical matter seems disproportionately large. But this again would swell the size of the volume unduly, and make it necessary to cut it into two volumes. If patristical and ecclesiastical Latin is to be included at all in a lexicon not professing to be a thesaurus, it should be closely compressed; if it is to be treated with thoroughness, the best way is to reserve it for a thesaurus, or to include it in a separate and special lexicon.

On the other hand, while Dr. Freund and Mr. White have both added new words to this Dictionary, the reader will still look in it for many words in vain. In proof of this we mention the following words, among others we have noted from classical writers, which are not to be found in any lexicon.

Substantives: batiaca, cepolindrum, chiloter, crumilla, dedecoramentum, dilatura, favea, feminur, juvenix, mammicula, perforator, probriperlecebra, sincipitamenta, suavisaviatio, verbivelitatio, zetematium.

Adjectives and Adverbs: accipitrinus, albicapillus, artutus, benesuadus, commodulus, conjuratim, dius (*adverb*), draconinus, dysparis, eupatereia, illutilis, interutraque, obunctulus, mininus, mirimodis, obsecuus, placidule, signipotens, sublimen.

Verbs: adinsurgo, adneo, adprocurro, amigro, attumulo, certisco, circito, circumaspicio, circumvectito, congrator, deungo, injurgo, inspurco (this word Mr. White quotes, but does not give proper authority for), neparco.

In respect to etymology, Mr. White has traced the connection of the fundamental words as far as possible with the Sanskrit and the Greek, and has given references to Pott's *Etymologische Forschungen* and Eastlake's translation of Bopp's Grammar, which will prove suggestive and useful to more advanced students. Still, many articles which are left untouched, as they stand in Andrews, rest on antiquated etymological theories.

For example, *sequor* is said to be "sibilated from ἕπομαι," *super* "sibilated from ὑπέρ," and *sub* from ὑπό. What inference does the young student draw from this way of putting the matter? Of course, that *sequi* is a later form of ἕπεσθαι with an *s* prefixed. In other words, it is the old confusion between literatures and languages, the old error that, because the Latin literature is later than the Greek, the forms of the language must likewise be so. As well might we say that ἐλεημοσύνη was a lengthened form of the English word *alms*, or that the German *Natter* was formed from the English *adder* with an *n* prefixed.

In general, the great fault of Dr. Andrews's Lexicon is, that it never had a thorough scholarly revision. A great many mistakes not found in the original crept into the translation. Some are mere misprints; others arose from a misunderstanding of the German or the Latin. Mr. White has rectified a great many of these mistakes, but too many still remain. We read in White's Dictionary, for example, under the title of *Diana*, "On which account her statues were three-formed, and set up in the trivii." This is taken without change from Andrews. The reader will be puzzled to account for the erroneous form *trivii*, until he looks into the German original, and finds, "Als Letztere gleich der Artemis dreigestaltig und auf *triviis* befindlich." Under *vicus* Andrews says, "Digammated from οἶκος: cf. vinum from οἶνον." Mr. White repeats the misprint. Other mistakes, which a little care would have corrected, run through the three Dictionaries. Freund, Andrews, and White all exhibit the word Ephiăltes, and yet cite as an example the hexameter of Claudian. de Bell. Get. 75, which reads, "Nititur, occubuit Phœbo, moriensque Ephialtes." What would an Oxford tutor say if a pupil presented a verse with *tāmen* in it? Freund, Andrews, and White all say *tāmen*. These things are "parva quidem, sed non toleranda . . . . magistris." Mr. White speaks with a most amiable charity of the mistakes of his predecessors, and his own rule ought certainly to be applied to him. But if a new Latin dictionary is wanted, the aim should be to make it as accurate as a table of logarithms.

To return to the plan of the Dictionary. We cannot find, on examination, that all the characteristic forms of inflected

words have been given and vouched for, though it must be admitted that Mr. White has improved in this respect on Freund. Of the interesting results of recent investigations on orthography we find in this lexicon hardly a trace.

Mr. White has spent much labor in classifying the various quotations according to the principles of syntax. This had been partly done by Freund, and is carried out much further in this lexicon; a comparison of Mr. White's arrangement with Gesner or Forcellini will show a very decided improvement. The objection to this principle of arrangement is, that the syntactic element may predominate overmuch, and force the characteristic passages into some subordinate place.

The plainest way to show what changes Mr. White has made, is to put the headings of one of his articles side by side with Dr. Andrews's. We take at random, as one of the most common words in the language, the verb *jubeo*.

ANDREWS.

jŭbĕo, jussi, jussum, 2. *v. a.* (Here follow instances of special forms.) *To order*, &c.

I. In gen.

(α) with an *object-clause.* (β) with the *conjunctive* with or without *ut* or *ne.* (γ) *c. dat. pers.* (δ) *c. acc. pers.* vel *rei.* (ε) *c. acc. rei.* et *dat. pers.* (ζ) *Pass.*

II. In partic. A. *To wish*, &c.

B. In publicists' lang., *To order*, &c.

C. Transf.

WHITE.

jŭbĕo, ssi, ssum, bēre (the rest as in Andrews), 2. *v. a.* [etym. dub.]

I. Gen.: *To order*, &c. A. With *Acc. c. Inf.* 1. *Inf. Act.* 2. *Inf. Pass.* B. With *Dat. of person c. Inf.* C. With *Subjunctival clause.* 1. With *ut.* 2. *Alone.* 3. With *ne.* D. With *Dat. c. Subj.* 1. With *ut.* 2. *Alone.* 3. With *ne.* E. With *Acc. of person or thing.* 1. *Acc. of person.* a. So, *alone.* b. With *Subjunct. clause.* 2. With *Acc. of thing.* F. With *Acc. of person and Acc. of thing.* G. With *Acc. of thing and Dat. of person.* H. With *Inf. alone when the subject can be readily supplied from the context.* K. *Abs.* L. *Pass.*

II. Esp.: A. *To wish*, &c. 1. With *Acc. c. Inf.* 2. With *Acc.* [*sic*; it should be *Inf.*] *alone where its subject can be readily supplied from the context.* 3. With *Dat. of person c. Inf.*

B. Medic. *t. t. To order, prescribe.*
C. Polit. *t. t.* 1. *To order*, &c. **a.** With simple *Acc.* **b.** In *Gerundial construction.* **c.** With *Acc. c. Inf.* **d.** With *Subjunct. clause.* **e.** With *de.* 2. *To appoint* a person to an office. 3. *To give*, &c. **a.** Prop. **b.** Fig.

Without discussing the expediency of Mr. White's arrangement, let us now inquire how far the critical accuracy of the book may be depended on, taking as our text the authorities cited by Mr. White for this same word *jubeo*.

Mr. White "at first attempted to refer to and read each quotation in some printed edition of the writer from whom it was taken." In *some* printed edition! We would not harp unduly on words that may have escaped him without consideration, but it certainly looks as if he had put all "printed editions" on an equal footing, — as if Delphins, Bipontines, and the old Tauchnitz editions were as good authority as the latest German texts. However, he found it impossible to refer to all the quotations in printed editions; in lieu thereof he employed the assistance of several competent scholars to transcribe the whole of certain passages in which a word was employed, so that he might see at once both its force and its construction.

Now let us see what the "competent scholars" have done with *jubeo*.

The first citation is from "Ter. Eun. 2, 3, 16." From the Eunuchus indeed, but a venerable misquotation found in Freund, Andrews, and Klotz. It should be 3, 2, 16. Under C. 1, Mr. White gives: "Venit, jussitque ut quæ ex sua classe venissent naves Eubœam [*sic*] peterent, Liv. 32, 16." The text of Livy really gives here, "*jussis* ut quæ," instead of *jussitque;* not a very important difference to be sure; but if Mr. White means to be systematic, he should put it under his heading L. Under C. 2, are two quotations from Ovid, Mett. Of the first we merely notice that he has "Halcyonem" for the more approved "Alcyonen"; but the second (from 8,792) is unmetrical and unintelligible, — "ea (sc. fames) in præcordia

condat sacrilegi scelerata jube": here a *se* has dropped out before *in*. Under D comes up the vexed question of the dative with the subjunctive. Mr. White is very nice here; he makes three divisions: 1st, with *ut;* 2d, alone; 3d, with *ne*. For *ut* he quotes "Telebois jubet sententiam ut dicant suam," Plaut. Amph. 1, 1, 50. We fear the "competent scholars" have misunderstood the passage. Amphitruo is at war with the Teleboans; he selects envoys to send to them, and "orders them to tell the Teleboans his mind"; the dative depends on *dicant*, it has nothing to do with *jubet*. The language of the second example is quoted correctly, but the reference is wrong, Tac. Ann. 13, 45, for 13, 15. For *ne* with Dat. he cites "militibus suis jussit ne qui eorum violarentur," Cæs. B. C. 3, 98. The "competent scholars" are so sadly in the wrong here, that we must print the passage in full; for here again the dative has nothing to do with *jubeo*, and, further, *ne* has nothing to do with *jubeo*. "[Cæsar] consolatus *consurgere jussit* et pauca apud eos de lenitate sua locutus, quo minore essent timore, omnes conservavit *militibusque suis commendavit*, *ne* qui eorum violarentur." Under H, the first citation, "itaque arbitrabantur," should read *arbitrantur*. The citation from Cæs. B. G. 7, 47, "receptui cani (*sc. tubam*) jubet," induced us to look — but in vain — at the word *cano*, to see if Mr. White gave any instance of *tubam canere* or *tuba* (nom.) *canitur*. Mr. White does not understand the construction: *cani* is used impersonally; therefore this and the next citation are to be struck out. Under the same heading,— "The Infin. alone, where the subject can be readily supplied from the context," — Mr. White quotes "signumque (jubet) suum observare (sc. nautas)," Hirt. B. A. 80. To insert *nautas* is an unnecessary refinement: the passage reads, "reliquas naves jubet ad littus adpelli signumque suum observare." It is common enough to find *naves* put for *nautæ*, not only where actions and movements are spoken of, but also where moral qualities are referred to; for example, Tac. H. 4, 16, *eadem etiam navibus perfidia*, "the men-of-war exhibited the same treachery"; Halm, in his second edition, spoils this passage by inserting an *in* before *navibus*, twisting it from the dative to the ablative. In the passage of Hirtius above

quoted, *naves* is the subject of the second infinitive as well as of the first. Under K. *Abs.*, the lexicon cites "jubesne? jubeo, cogo atque impero, Ter. Eun. 2, 3, 97." The better reading here, though not important in a lexical point of view, is "jubesne? jubeam?" Under L, Plin. Ep. 9, 26 should be 6, 29. The passage of Liv. 41, 15, "proconsules *manere* in Hispania jussi et *ut* . . . equites *mitterentur*," should be added here, to illustrate the union of the two constructions. Under II. A. 1, Cic. Att. 12, 6, 3 should be 12, 6, 4, and under C. 1. a, Ep. ad Brut. 1, 4, 1 should be 1, 4, 2. The citation from "Cic. de Legibus, 2, 22, 58," comes from Cic. de Leg. Agrar. 2, 22, 58. Under C. 1. e, with *de* is quoted, "de omnibus his consultum senatum populum jussisse." Why it is quoted we cannot divine; the *de* simply belongs with *consultum*. The last citation in the article reads, "In populo *poteram* maximus esse meo." It should be *potui*.

What shall we say of the "competent scholars" now? And what shall we think of Mr. White's misdirected industry? He has started with no elevated or well-defined theory of what was needed in Latin lexicography; and in carrying out his plan, such as it was, he has groped his way along mechanically, amidst the darkness of corrupt texts and second or third-hand citations. We sincerely hope that this may be the last of the manufactured lexicons. A critical dictionary founded on the best texts, exhibiting all characteristic or anomalous forms of words that occur, and with a plenty of trustworthy citations, is a great want. It will be long before this want is met. In the mean time Mr. White's will be found the most convenient Latin Dictionary in English, though the present rates of exchange and the high price of the book (two guineas) will prevent it from circulating much in America.

ART. X. — *A History of the Romans under the Empire.* By CHARLES MERIVALE, B. D., late Fellow of St. John's College, Cambridge. London: Longman, Brown, Green, and Longmans. 1850–62. 7 vols. 8vo.

IT is a task of no ordinary difficulty which Mr. Merivale has undertaken in these volumes. No one can study the history of the Roman Empire, either in its origin and growth or in its decline and fall, without having Gibbon's great work constantly present to his mind as the standard by which the labors of other historians will be judged; and certainly no one can attempt to write that history without feeling some degree of reluctance at having his work thus brought into comparison with a book, which, in spite of its acknowledged defects, has long held a foremost place in historical literature, and must always stand as one of the proudest monuments of English scholarship and genius, instead of being judged on its own merits. Mr. Merivale has not been unmindful of this disadvantage, and, relinquishing the full execution of his original plan, he has closed his narrative at the point where Gibbon's History begins, a hundred and fifty years before the transfer of the seat of empire from Rome to Constantinople, the period which at first he selected for the limit of his work. "I have learnt by a trial of many years," he says on the last page of his seventh volume, "to distrust my qualifications for so grave a task. And other cares impede me, other duties warn me to desist. I have now reached the point at which the narrative of my great predecessor, Gibbon, commences, and, much as I regret that the crisis should be unfolded to the English reader by one who, unhappy in his school and in his masters, in his moral views and spiritual training, approached it with all his mighty powers under a cloud of ignoble prejudices, I forbear myself from entering the lists in which he has long stalked alone and unchallenged." But, natural as is the disinclination which any one must experience at the thought of coming into direct competition with that great writer, Mr. Merivale has little reason to fear the result of a candid comparison of his own qualifications with those of his predecessor. Gib-

bon's reputation as an historian rests mainly on the vastness and variety of his learning, the philosophical spirit in which his work is composed, and the perpetual charm of his rich and sonorous style. In respect to the first of these characteristics our author is scarcely surpassed by the earlier writer; for if his knowledge is less multifarious, it is at least sufficiently abundant for every purpose of his History, and is as thorough and exact as Gibbon's, while he possesses a signal advantage in his large acquaintance with the latest fruits of classical scholarship, and the most recent archæological discoveries. In respect to the second qualification for his task which Gibbon possessed, it will not be denied that, other things being equal, a sincere believer in the truths of revealed religion will be a safer guide along the pathway of imperial Rome, than one who seldom lets any opportunity pass without flinging scorn or contempt on the disciples of the new dispensation; and in dealing with those questions which are in any way connected with the position and character of the Jews and the early Christians, Mr. Merivale's candor stands in marked contrast with the pitiful spirit exhibited by the infidel writer. At the same time, he traces the secret springs of action by which the prominent personages in his narrative were moved, and unfolds the connection between the laws of Rome at different periods of its history, and the social and political condition of the people resulting from their immediate or indirect operation, with a skill not less remarkable than that of his predecessor. But in respect to the third characteristic which we have mentioned, his inferiority is very apparent. His style is deficient in strength, harmony, and precision; and, from the faulty construction of his sentences, it is often difficult to extract from them the meaning which they are intended to convey, while he seldom or never rises into eloquence. As his work progresses, his style gains in ease and fluency; and in this particular his later volumes are his best. In a word, so far as mere expression is concerned, Gibbon's immense superiority must be conceded without hesitation; but when we enter on a more searching criticism of the two writers, it must be admitted that Merivale has as firm a grasp of his subject as Gibbon, and that his work is characterized by a greater freedom from prejudice, and a sounder philosophy.

In spite, however, of the respect in which Mr. Merivale's labors must be held, few readers can close his History without disappointment. The magnificent promise of his first three volumes is not redeemed by the completed work. He has not only brought his narrative to a sudden and unexpected close, but even in the fragment now before us he has not satisfied the just expectations which might have been formed from the unsurpassed brilliancy and power of his preliminary dissertations and narratives. As he very justly remarks on two occasions, the history of the Empire properly dates from the year of the city 731, when the tribunitian power was conferred on Augustus. From the battle of Pharsalia to this period Rome was in a transition state; and though some knowledge of the last years of the Republic is necessary for a right understanding of the history of the Empire, any account of the events which preceded the establishment of the monarchy ought to be composed with a due regard to the minuteness of detail in the body of the History. This consideration appears to have been entirely overlooked by Mr. Merivale, and he has sacrificed the symmetry of his work to a desire to make his readers thoroughly acquainted with a period which does not legitimately come within the limits indicated by the title prefixed to his volumes. It is not until we reach his thirty-fifth chapter that the narrative properly begins; and in the remaining thirty-four chapters, which occupy a little more than half of the work, we have the history of two centuries, from the year of the city 731 to the year 933, or from 23 years before Christ to the year 180 of the Christian era. The introductory chapters, which extend over a period of only thirty-five years, cover almost as many pages, therefore, as the whole of the subsequent History. No intelligent and thoughtful reader, indeed, can regret the length to which Mr. Merivale has pushed his preliminary inquiries, or can wish to abridge his narrative of the life of Julius Cæsar, and it is true that there is a paucity of materials for the history of the Empire during a later period; but still this disproportion of its various parts is a serious defect in the work.

Another and not less striking defect in Mr. Merivale's plan is seen in the frequency and length of his episodes. From

the nature of his subject, which he has designated as the "History of the Romans," rather than the "History of Rome," it was inevitable that his work should have a less obvious unity than if its theme had been circumscribed by narrower limits. In the course of such a narrative, the historian must often pass from the city to the provinces, from one province to another, and even from one continent to another. Only thus could he have carried out the design which he announced in the Preface to the first edition of his first two volumes. "I shall endeavor," he wrote, "to trace throughout the long period before me the effects of conquest and supremacy upon the Roman people; the reaction of the provinces upon the capital; the struggles of the conquered nations to assert for themselves a share in the dignities and privileges of the conquering race; and the gradual fusion into one mass of Italians, Britons, Africans, and Orientals." But in the execution of this design he has made his episodes unnecessarily frequent, and has introduced them too abruptly, so that the reader, particularly in the first two volumes, is often puzzled to retain the thread of the narrative through the shifting scenes of the History, or to recover it if once lost. In his "History of England," Lord Macaulay labored under the same difficulty, from the necessity of combining in one narrative an account of the civil and military transactions in Ireland and Scotland, as well as of those which occurred in England, and, in several instances, of events on the Continent; but his success in overcoming this difficulty shows that it is not insuperable, and his example might have been profitably followed by Mr. Merivale. Added to the risk of confusion which arises from this tendency to multiply episodes and digressions, the continuity of the narrative is repeatedly broken by the interpolation of chapters presenting a general survey of the social and political condition of the Empire at some specified time. These chapters are among the most important and attractive portions of the work, and nowhere else are the historian's learning and ability better shown; but the intervals between the periods selected for these surveys are too brief, and the changes from time to time too slight, to compensate for the disadvantages resulting from their frequent recurrence. If the materials on which they are

based had been combined into a smaller number of chapters, some repetitions might have been avoided, the narrative would have been rendered more compact, and the reader would probably have borne away from these masterly surveys a stronger and clearer impression of the actual condition of the Empire, and of the general tendency of the imperial policy.

The first and perhaps the most striking excellence of our author as an historian is his great skill in forming in his own mind, and reproducing on his pages, a clear and lifelike image of each of the great men whose actions he describes. Julius Cæsar, Pompeius, Augustus, Antonius, Tiberius, Vespasian, and the rest, each has a distinct individuality, and we can understand each almost as well as if we had known him personally. In only two or three instances do we fail to get a clear idea of the man, though we may sometimes be inclined to modify the opinion expressed. This praise of our author's skill in analyzing and painting character must, however, be understood as referring solely to the general impression which the account of each individual actor is suited to produce on the mind of a reader: for the brilliant word-painting in which Lord Macaulay excelled, Mr. Merivale has no skill; and it is doubtful whether a single cabinet portrait can be found in his whole seven volumes which can fairly be brought into comparison with the "characters" in which the "History of England" is so rich. If in any other respect Mr. Merivale fails in his portraiture of the Roman emperors and statesmen, it is in an inclination to paint them in too favorable colors. "It is not the province of the historian," he says, "to condemn or absolve the great names of human annals." But fortunately he has not always adhered to this narrow view of the duties of an historian, and he has somewhat qualified it by admitting, almost in the same sentence, that it is the business of the historian "to distinguish, in analyzing the causes of events, between the personal views of the actors in revolutions and the general interests which their conduct subserved, and to claim for their deeds the sympathy of posterity in proportion as they tended to the benefit of mankind." Acting, however, on this principle, he has for the most part been very lenient in his judgments; and it is curious to observe that in general he is

inclined to be more severe in his estimate of the women than of the men of ancient Rome. The two Julias, the elder and the younger Agrippina, and Messalina are painted in darker colors than Tiberius, Caius, Claudius, and Nero.

Connected with this moderation in his estimate of individuals is another crowning excellence in his character as an historian. He is not only free from that avowed partisanship which is seen in Mr. Grote's "History of Greece," but throughout his work he preserves a calm and philosophical spirit; and this impartiality of judgment is due, not to indifference as to the final result of the long contest between the two great divisions of Roman society, but to the original structure of his mind, which is eminently candid. His opinions of the leaders and factions whose acts pass in review before him are settled and consistent, and he never hesitates to express them with entire frankness; but he seldom allows his personal feelings to color his narrative, or to affect his judgment of the various parties in the state. His sympathy with the first two Cæsars is neither concealed nor disguised, and in the chapters which are devoted to an account of their lives and an examination of their policy and institutions, his strength is most clearly exhibited. This sympathy with the enemies of the Republic is distinctly avowed in the Preface to the second edition of his first two volumes, but it is accompanied by an explicit declaration that he condemns the senatorial government only because it was not suited to the condition of affairs in Rome at that time. "The sway of the Roman oligarchy," he writes, "it can never be too loudly proclaimed, was the most wasting tyranny the civilized world has ever witnessed. Mankind groaned in misery and degradation, that a hundred families might have the privilege of slandering and slaying one another. But if in the following pages there appear any sympathy for the persons or the institutions of a Julius or an Augustus, it need not be imputed to any abstract leaning towards despotic rule or misappreciation of the blessings of genuine liberty. My views are confined to a comparison of the rival systems, as they contended for mastery at Rome under circumstances of society which I would fain hope are altogether exceptional. I wish only to assert, in the name of our common humanity, that the Roman oligarchy

deserved to perish, and that its destroyers were benefactors to their species." His impartiality does not, therefore, arise from that indifference as to all moral distinctions which sometimes passes for impartiality, but from a sincere wish to do justice to the honest intentions of each of the contending factions. One important consideration, indeed, we think he overlooks; namely, that the Roman parties were personal rather than political. Many, perhaps the greater number, of those who arrayed themselves under the banners of Cæsar or of Pompeius did so from personal motives, and with no intelligent convictions as to the merits of the policy advocated by one or the other of these great men. The Roman legislation was for the most part designed for the benefit of a class, and had little reference to the principles of the constitution. It is an error, therefore, which even Mr. Merivale occasionally commits, to carry into the first century before Christ the ideas of our own age, and to speak of the Roman parties as if they bore any direct resemblance to the political parties under a constitutional government in modern times.

The key-note to this History is a passage from the poet Rutilius, which is cited in the Preface to the first edition of the first two volumes, and again referred to in the "Additional Preface to the Complete Work."

> "Fecisti patriam diversis gentibus unam,
> Profuit injustis, te dominante, capi:
> Dumque offers victis proprii consortia juris,
> Urbem fecisti quod prius orbis erat."

In accordance with the leading thought in this apostrophe, it is a chief object of the work to trace the effect of the various measures for enlarging the limits of the Latin or the Roman citizenship, and to show how they tended in one direction to strengthen the state, and in another to weaken it, while at the same time the author shows how little ground there was for the boast that this extension of the franchise, and this fusion of various races into one body politic, was a voluntary act dictated by a far-sighted policy. With a firm and comprehensive grasp of his subject which is seldom relaxed, he describes the successive acts of the Senate or the victorious Imperator for extending this much-desired boon to the subject nations or

cities, and points out the immediate or remote effect of each grant on Rome itself. The curtailment of his original plan has prevented the full development of this thought; for it entered into his design to show that "the crowning event which obliterates the last vestige of Roman sentiments, the establishment of Christianity, was in fact the conquest of Rome by her own subjects." But it underlies the whole of his work, and is specially noticeable in his earlier volumes, in which he describes the reforms commenced by Julius Cæsar, and more fully carried out by Augustus. To the first Cæsar Rome was mainly indebted for the infusion of provincial blood into the senatorial body, and his successors only continued a policy which he thus inaugurated, and which was in truth the corner-stone of the Empire.

In tracing the history of Rome under the light of this thought, Mr. Merivale everywhere exhibits a thorough acquaintance with Latin literature in all its departments, and also with the best fruits of modern scholarship. "The volumes of Michelet, Amedée Thierry, Duruy, Hoeck, Abeken, and others, have lain open before me throughout the course of my own studies," he says in speaking of his first two volumes; "and the elaborate work of Drumann, in which he has amassed every notice of antiquity, and connected them all together with admirable ingenuity and judgment, has supplied me with a storehouse of references, to which I have not scrupled to resort freely. But without affecting originality, which could only have been extremely defective, I believe that much of my reading, and most of my conclusions, may lay claim at least to independence." So long as he can follow in the footsteps of Livy and Tacitus, of Suetonius, Plutarch, and Dion, and so long as he can make use of Cæsar's Commentaries, they are, from the necessity of the case, his chief guides, though he often questions their statements and dissents from their judgments; but he has neglected no source of information which modern research has made available, and many judicious quotations from the earlier and the later writers of Rome itself attest the thoroughness of his scholarship. His critical knowledge of the Latin language and literature had been abundantly shown by his contributions to the "Arundines Cami"

long before he began his History, and the felicity of the translations by which he has occasionally illustrated his narrative must strike every reader.

In the less important characteristics of wit and humor, which give such an irresistible charm to Lord Macaulay's pages, and have contributed so largely to Mr. Carlyle's popularity, he is undoubtedly deficient, and we cannot now recall an instance in which he has enlivened his narrative by a single remark that is likely to provoke a smile. His work owes its interest entirely to the magnificent theme of which it treats, to his comprehensive grasp of his subject, to the ample stores of learning employed in its illustration, and to the consummate skill with which he individualizes the various actors who have a place on his crowded pages. In the description of the various military operations in the first half of his work he specially excels, and probably few readers have had so clear an idea of the Roman tactics as they will gather from these volumes. His battle-pieces are among the most successful portions of his History, and show at once how carefully he has studied the original authorities, and from how wide a survey of his subject his work has been composed. But admirable as are these descriptions, they are surpassed by his pictures of social life in Rome in the age of Augustus, and by his topographical account of the city at the same period, to both of which we shall have occasion to refer at greater length in another place. One other portion of his work deserves to be specially noticed in this connection, — his account of the Roman jurisprudence, which ought to be read as the complement of the masterly chapter which Gibbon has devoted to the same interesting theme. Taken together, they furnish a full and satisfactory summary of the principles and provisions of the Roman law under the Empire, and it is no small praise to Mr. Merivale to say, that, even in regard to this subject, his labors will not suffer by a comparison with those of his great predecessor, whose successful treatment of its difficulties has been universally recognized.

It is not, perhaps, easy to determine what place Mr. Merivale's labors are likely to hold permanently in historical literature. One or two suggestions on this point, however,

we may venture to offer; and at the outset we may say, without hesitation, that it is not probable that anything better than his first four volumes will ever be published on the period to which they relate. They must take rank with the best historical works of our age, in spite of some defects of style and some want of unity of design. But in regard to the later volumes, it is not possible to feel the same degree of confidence; and in the seventh volume the evidences of a growing weariness on the part of the writer are too obvious to be overlooked. His style, indeed, as we have remarked, had gained in ease and directness; but this improvement does not compensate for a less vigorous and comprehensive treatment of the subject. On the whole, therefore, few persons will be likely to concur in the judgment of those critics who pronounce him a greater historian than any of his contemporaries, while it cannot be denied that his work is a most important contribution to historical literature, and that, if the completed History had redeemed the promise of the earlier volumes, it would scarcely have been possible to exaggerate its merits.

In passing from these general remarks to a more specific examination of Mr. Merivale's labors, it must be conceded that he has been very fortunate in his choice of a subject, and that, even if his work had been much less worthy of praise, it would still have been sure of a favorable reception. For the history of Rome down to the death of Julius Cæsar we have the scholarly volumes of Dr. Arnold, which, if not altogether satisfactory, at least reflect no discredit on English scholarship; and for the later years of the Empire, Gibbon's great work will probably always be a principal authority. But for the interval between the close of the one and the opening of the other there is no work in our language which can be compared with either. It would have been better, indeed, as Mr. Merivale himself admits, if, instead of beginning his History nominally with the foundation of the Empire, but really with the first campaign of Cæsar in Gaul, he had so enlarged his plan as to commence with the period of the Gracchi, and had "introduced the history of the Empire with an account of the century preceding it." Still, the period

included within his narrative is one of the most momentous in the annals of the ancient world, and can never lose its attractiveness to the student of classical literature, or indeed to any one who is interested in comparing ancient and modern civilization, and in tracing the effects of political institutions on the condition of a people. The elements of self-destruction in the constitution of the Republic; the external circumstances by which its downfall was precipitated, and the erection of a monarchy was rendered inevitable; the personal characters of the men who took part in these events; the nature and extent of the reforms instituted by Augustus; the comparative worth of the literature of the Augustan age; the reaction of the vices of Tiberius, Claudius, and Nero on the Senate and the people; the conquest of Judæa; the general characteristics of the Flavian period; the distinctive merits of its literature; the changes introduced into the Roman law between the accession of Augustus and the death of Marcus Aurelius; and the growth of the city both in size and magnificence; — these and many other topics of scarcely inferior interest must be examined in any satisfactory survey of this period, and to some of them we purpose now to refer, for the most part under Mr. Merivale's judicious guidance. Before entering on this examination, it may be useful to cast a glance over the period anterior to the accession of Augustus, considered from the point of view assumed by our author.

Throughout the history of the Roman Republic, and even for some years after the foundation of the Empire, two antagonistic principles were in almost constant operation, — one the natural expression of the Roman character, and the other deriving its whole strength from the circumstances in which the inhabitants of Rome were placed. On the one hand, as our author very happily remarks, they "scorned the humanizing pursuits of commerce," and, by establishing "the most odious distinctions between themselves and their subjects," sought to isolate themselves from other nations. On the other hand, by the very fact that they were a warlike race, they were brought into frequent contact and collision, not only with the neighboring tribes, but also with more distant nations; and for their own security they were obliged to relax

somewhat of their exclusiveness, and to grant various privileges to those subdued by their arms. By no other means could they have hoped to retain their conquests for any considerable length of time. These concessions, however, were always granted with reluctance; and not a few of the fiercest conflicts in which Rome was engaged grew out of the unsatisfied claims of the nations which had been previously subjugated. But it was not in reference to this question of the franchise alone that the two principles of exclusion and of comprehension were at issue. From a very early period in the history of the commonwealth, the patrician families had sought to consolidate all the power of the government in their own hands, while the plebeians had constantly endeavored to wrest from them new rights and privileges. The same instinct of self-preservation which had led in numerous instances to the grant of the Latin franchise to individuals and communities, and finally of the Roman franchise to the whole of Italy, also led to important concessions in the fierce struggle waged within the city itself, first, between the patricians and the plebeians, and afterward between the rich and the poor. The first peaceful victory in this long conflict was won after the secession of the lower classes, by their acquisition of the right to nullify any measure of the Senate by the simple veto of the Tribunes; and this victory was followed, a century and a quarter afterward, by the elevation for the first time of a plebeian to the consulship, and by the Licinian rogations, which limited the quantity of land that each citizen might possess. The final victory was gained in the enactment of the Agrarian laws of the Gracchi for a redistribution of the land which had again become concentrated in the hands of a few persons; but these laws were imperfectly executed, and the assassination of the popular leaders in some measure reopened the questions at issue, and further increased the bitterness of the strife. Before the generation which witnessed the death of the younger Gracchus had passed away, the Social War broke out, and in this contest many of the popular leaders rendered open or secret aid to the Italian allies, in whose success they felt a natural interest. The war ended, as we have seen, in the triumph of the enemies of the oligarchy, though they were

everywhere defeated on the field of battle. Contemporaneously with the enfranchisement of the Italians came the long-anticipated victory of the plebeians; but their first brief advantage was followed by an oligarchical reaction under Sulla, whose vigorous measures crushed for a time the spirit of the popular leaders, and inspired in the nobles the hope of a long continuance of their power. In the subsequent contests, the two principal factions in great measure lost sight of the original ground of controversy. Class distinctions were less considered when personal ambition began to assert its influence. The patrician Julius succeeded to the leadership of the Marians, while the plebeian Pompeius was accepted as the head of the senatorial or oligarchical faction.

The civil wars and party proscriptions to which the Romans had become accustomed during this protracted struggle produced their natural effect on the character of the people. "The frightful corruption of the Roman government in the provinces," as Mr. Merivale well remarks, "was symptomatic of the general relaxation of public morality at home. On turning our eyes to the great metropolis from whence this stream of profligacy issued, we find every act of its senate, its comitia, and its forum marked with the same stain of selfishness and venality." Religion had lost its hold on the people, and was treated with open scorn or secret contempt; the judges listened to no argument so readily as to their own violent prejudices or to a timely bribe; the elections were no longer free, and not unfrequently mere violence took the place of corruption, so that "the great public magistracies were left vacant for many months, from the impossibility of conducting the elections with even a show of legitimate order"; the domestic relations were in a state which showed only too plainly the utter and shameless depravity of public and private morals; a few persons possessed enormous wealth, while the great mass of the people grovelled in extreme poverty, and a considerable part even of the native population were fed by public charity; the soldiers had lost, by their long continuance in service, the tastes and habits of citizens, and attached themselves to the persons and fortunes of their leaders, with little or no thought except of personal advantage to themselves; and, in a word,

the numerous vices which civil war engenders were everywhere rife, with a violence which it is difficult for us now to understand, and were everywhere preparing the way for the overthrow of the commonwealth.

It was at this crisis of public affairs, when the inevitable tendency of events was to throw all power into the hands of one man, that Cæsar crossed the Rubicon, and kindled once more the embers of civil strife. The history of his administration in Transalpine Gaul, of his successful military operations, and of the circumstances which led him thus to seek redress for his grievances by the dreadful arbitrament of civil war, is related by Mr. Merivale with great minuteness of detail and consummate skill in the arrangement of his materials, and need not now detain us: it is sufficient to observe that there is no more brilliant series of campaigns recorded in ancient history than those which Cæsar conducted while Proconsul in Gaul, and that, if it is difficult or impossible to find a patriotic motive for his invasion of Italy, it must at least be conceded that the course pursued by his enemies affords some ground of apology for it. The news that he had actually passed the frontier filled with consternation the senatorial leaders, whose unjust treatment of him was the ostensible ground for this movement; and such was the terror of the Consuls, that they did not delay their flight from Rome even for the brief period needed to remove the public treasure. The feeble and vacillating movements of his great rival, Pompeius, to whom the command of the senatorial legions had been confided, were not of a character to revive the courage of the timid and frightened Senators. After some ineffectual negotiations with the advancing enemy, Pompeius retreated to Brundisium, and not long afterward withdrew from Italy, with the design of transferring the seat of war to the shores of Greece. Meanwhile Cæsar had not been idle. In the brief space of sixty days he had made himself master of Italy, with scarcely any effusion of blood. "Never, perhaps," says our author, "was so great a conquest effected so rapidly and in the face of antagonists apparently so formidable. Every step he advanced was a surprise to his enemies; yet at each step they predicted more confidently his approaching discomfiture. But at the

first blast of his trumpets every obstacle fell before him, and the march of his legions could hardly keep up with the retreat of his boastful adversaries. The Consuls abandoned Rome before he was competent to approach it; their lieutenants, deserted by their troops, plundered of their treasure, and denuded of the materials of war, found themselves alone and defenceless in their camps before the invader appeared in sight."

The plans which Pompeius had formed for the conduct of the war appear to have been skilfully devised; but they were not executed with the ability which he had exhibited when a younger man. After some indecisive engagements, in which the advantage remained with the Pompeians, the armies of the rival leaders finally met on the plains of Pharsalia. The victory was sharply contested; but the superior discipline and daring of Cæsar's forces gave an early and signal triumph to their chief, and Pompeius himself was obliged to seek safety in flight. After reaching the coast, at no great distance from the scene of his defeat, he took ship for Egypt, with the hope, perhaps, of renewing the contest; but on his arrival there he was basely murdered by command of Cleopatra, even before he touched the inhospitable shore.

By the fall of Pompeius, Cæsar was left without a rival worthy of the name; and after some time passed in Egypt, whither he also had proceeded, and where he was retained by the blandishments of Cleopatra, he returned to Rome to consolidate the power which he had won with so little effort. His possession of supreme and undivided authority lasted for a little more than three years, from the battle of Pharsalia to his death. But during this brief period, which included a campaign in Africa, and an absence of several months in Spain, he exhibited great administrative ability; and the effects of his measures were long visible in the condition of the people. Among the first laws which he promulgated was one restricting luxurious habits, both in respect to dress and to the table; but the failure of this measure did not discourage him, and it was speedily followed by other enactments designed to cure some of the existing evils, and, as Mr. Merivale suggests, "to break down the pre-eminence of the wealthiest class." For this pur-

pose he restricted the term of the provincial governments to one year in the prætorian, and to two years in the consular provinces, reduced the official terms of the Consuls to a few months, or even, according to one writer, to a few days; increased the number of the Senators to nine hundred, or nearly double what it is supposed to have been when he began his reforms, and conferred the full rights of Roman citizenship on many of the provincial states. To the veterans who had served under him in Gaul, in Greece, and in Spain, he awarded some small territories in Italy for the formation of new colonies; but, with a wiser and more magnanimous policy than his predecessors had shown, he distributed the greater number of his legionaries over the country, instead of collecting them in large bodies, and it is said that as many as eighty thousand persons were transferred to Greece and Africa, in order to give increased strength to the provinces. At the same time, with a view to check the rapid decrease of the free population, he forbade any citizen between the age of twenty and forty from spending more than three years abroad, and required all owners of flocks and herds to "employ free labor to the extent of at least one third of the whole." Nor did his efforts in this direction stop here. To every father of three legitimate children born at Rome, of four born elsewhere in Italy, or of five of provincial birth, he granted a partial exemption from taxation; and these privileges, says Mr. Merivale, "became the basis of much subsequent legislation, and established certain principles in Roman jurisprudence from which it never afterwards departed." By another important enactment, which was, however, directly opposed to the general tendency of his laws, he provided that judges should be taken only from the Senators or the knights, to the exclusion of the ærarian tribunes who had formerly enjoyed this privilege. Two other measures of even greater practical importance ought also to be mentioned in this connection, — his plan for the compilation of a map of the whole Empire from actual surveys, and his reformation of the calendar.

It cannot be doubted that Cæsar, on the whole, retained his early popularity in Rome, and that in instituting these reforms he felt sure of his ground; but he was closely watched by a

powerful faction who were ready to take advantage of any false step. Soon it began to be noised abroad that he aspired to the title of king; and it is not improbable that the rumor had some foundation in fact. "It was in the counsels of his friends, at least," says Mr. Merivale, "that the idea of obtaining it appeared to originate; and it was, perhaps, first suggested to them by the craft of his enemies, who sought thereby to exasperate the nation against him." But whatever may have been the origin of the report, and however much or little of truth there may have been in it, it served to unite a formidable band of conspirators, pledged to his destruction. The 15th of March, in the year 710, was fixed on for the execution of their design; and on that day he was publicly assassinated in the Capitol. As soon as he had taken his seat in the Senate-house, the conspirators crowded around him, under pretext of presenting a petition; and while he was listening to their importunities, Publius Casca drew a weapon, and by an ill-directed stroke grazed the victim's shoulder. The first blow was the signal for a general attack, and, after a short struggle, Cæsar fell at the foot of the statue of Pompeius, pierced with twenty-three wounds, of which, it is said, only one was in itself mortal.

The character of the first Cæsar has already been examined at some length in this journal,* and we need add nothing on this point to the views which were then offered. For our present purpose, however, it is important to remark, that, in spite of his splendid abilities and his creative genius, Cæsar was the genuine product of the age in which he lived; or, to adopt the judicious language of Mr. Merivale, that his disposition and conduct "correspond faithfully with the intellectual and moral development of the age of which he was the most perfect representative. He combined literature with action, humanity with sternness, free-thinking with superstition, energy with voluptuousness, a noble and liberal ambition with a fearful want of moral principle. In these striking inconsistencies, which none but himself could blend in one harmonious temperament, he represented the manifold conflicting tendencies which appeared in various proportions in the character of

* North American Review, No. 151, Art. VII.

the Roman nobility, at a period when they had thrown off the formal restraints of their Etruscan discipline, and the specious indulgence of Hellenic cultivation lured them into vice, selfishness, and impiety."

The period between the murder of Cæsar and the battle of Actium covers, in our author's narrative, nearly three hundred and fifty pages. The measures taken by Antonius to secure the succession, under pretence of carrying out the will of Cæsar; the adroit policy pursued by Octavius; the formation of the Triumvirate; the defeat of the assassins, and final overthrow of the republican cause; the virtual expulsion of Lepidus; the rivalry of Antonius and Octavius, culminating in civil war; the great battle of Actium, with its vast train of results; the flight of Antonius to Egypt, and his death there; and the ultimate triumph of Octavius, — are all described by Mr. Merivale with a wealth of learning and a vigor and clearness of statement which leave little, if anything, to be desired in this part of his narrative, and we should be glad to follow his steps along this transition period, if the limits which we have prescribed to ourselves would permit such an examination as its importance demands. We cannot take leave, however, of this period without citing with strong commendation the passage in which our author speaks of the importance of the battle of Actium, and of its far-reaching effects. He says: —

"As a spectacle, a sea-fight in modern times is said to be obscure and uninteresting. The manœuvres it admits of are few and simple, and the skill and courage of the combatants could hardly be appreciated at a distance, even if the thick pall of smoke which envelopes them with little intermission did not conceal them from the spectator and from each other. But a naval battle of antiquity must have presented a far more exciting spectacle. The field of view was not too extensive, the atmosphere was unclouded by smoke, and the movements of attack and defence at so many different points were even more diversified than the charge and recoil of battalions on land. The contrast between the size and tactics of the vessels engaged at Actium must have added variety and interest to the scene, as beheld from either shore of the Ambracian gulf; and it was beheld by two armies comprising perhaps twice an hundred thousand spectators, whose emotions of hope and fear, of delight and consternation, were expressed in many a roar of exultation or long-drawn murmur of anxiety. But the moral

setting of the picture endues it with a still higher charm. The masters of Roman song have vied with one another in adorning with the hues of the imagination the decision of the *world's debate*. Horace brands the inebriate frenzy of the Egyptian, who had dared to threaten with ruin the Capitol and the Empire. Propertius ascribes the triumph to Apollo, who cast aside his lyre and grasped his bow, and exhausted his quiver in defence of Rome. Virgil assumes all his strength and majesty to delineate the crowning victory of his imperial hero. The East and West have met in decisive conflict, and the rout of Actium has prostrated the world before the fathers, the people, and the gods of his country.* The issue of the long struggle of the nations against the all-conquering Republic is indeed a momentous event in human annals. The laws and language, the manners and institutions of Europe, still bear witness to the catastrophe of Actium. The results it produced can never recur to our minds without impelling us to reflect upon the results we may suppose it to have averted. It would be monstrous indeed to admit that the triumph of Antonius could have permanently subjected Rome to Egypt, the West to the East. The vitality of European intellect would have thrown off the yoke of an inorganic and alien despotism; the spirit which defended Hellas from the Persian, and Christendom from the Moor, would have avenged Rome upon the Copt and the Arabian. But the genius of an Octavius could hardly have been replaced; none but himself among his own generation could have founded a dynasty on the ruins of the Republic, and in the next generation the opportunity would have passed away. The empire of Antonius would have been dismembered like that of Alexander, and in the first century, instead of the fifth, the Western world would have been split into petty and degenerate principalities. The Goths, let loose prematurely upon their victims, would have exterminated ideas which neither awed nor attracted them. The arts and manners of Rome would have left no deeper traces in the mind of Europe than Hellas has impressed upon Western Asia. The language of her Curia and her Forum would have been forgotten, and the writings of Cicero would have crumbled in her dust. We might guess her grandeur from her imperishable Cloaca, and measure her power by the foundations of her walls; but her roads and camps would be a marvel and a mystery, and Cæsar a name like Ninus or Sesostris." — Vol. III. pp. 322 – 325.

The victory at Actium had indeed sealed the fate of the Commonwealth, and left Octavius in a position to secure the

* "Hor. Od. I. 37; Propert. IV. 6. 55; Virg. Æn. VIII. 679."

undisputed possession of all the power in the state. From that moment he began to lay broad and deep the foundations of the monarchy, to the establishment of which the course of events had long tended. In accordance with the uniform policy of the Roman Imperators, he took care to attach the legionaries to his own person by large gifts, while he secured the support of the lower classes by keeping down the price of corn, and of the great body of the people by satisfying their desire for peace, after so many years of turmoil and bloodshed. Starting from the basis of personal popularity and from the disinclination of the people to a renewal of the scenes of internecine warfare to which they had been so long accustomed, he gradually concentrated in his own person the various functions which had before been exercised by the Senate and the different magistrates. Meanwhile he exhibited a clemency and moderation which furnish the key-note to the whole of his subsequent policy. In the same year in which he celebrated his triple triumph he closed the doors of the temple of Janus in token of the existence of universal peace, a condition of affairs which it was said had existed but once before in a period of more than six hundred years. Not long afterward a rumor was widely circulated that he seriously meditated resigning the power to which he had thus succeeded, and Dion introduces into his narrative the account of a supposed debate on this subject between Octavius and his chief friends and advisers, Agrippa and Mæcenas. But, as Mr. Merivale well remarks, "we shall hardly believe that the undisputed master of the Republic, at the age of thirty-three, seriously debated within himself whether he should descend from the elevation to which he had dared to aspire at nineteen." On the contrary, in this very year he accepted the permanent command of all the military forces of the state, and almost at the same time he was invested with the powers, though not with the title, of Censor. In the execution of the latter office, he voluntarily named Agrippa as his associate, apparently with a view of shifting to another the odium which was likely to follow a rigorous exercise of the powers of the censorship; and before he closed his revision of the senatorial list, nearly two hundred names were stricken from it, either by the voluntary with-

drawal of persons who thus confessed their unworthiness or by the exercise of his own power. By virtue of the same authority he caused a census of the Roman people to be taken, which showed the number of persons capable of bearing arms to be a little more than four millions.

The next step in this great work of concentration was his appointment as Princeps, or first of the Senate, a position which did not indeed give him any direct increase of authority, but which enabled him in great measure to guide the deliberations of the legislative body, and smoothed the way to further acquisitions. Having thus attained an elevation which placed him beyond the fear of rivals, he determined to pause before claiming new honors and new powers, and to strengthen the personal popularity on which he saw that his supremacy must rest, at least for some years. With this design he celebrated in Rome, at his own expense, during his sixth consulship, a festival in commemoration of his victory at Actium, quadrupled the customary largess of corn, and granted pecuniary aid to the poorer members of the Senate, and to numerous individuals whose circumstances would not allow them to undertake the more costly magistracies; and at the same time, assuming the duty of making adequate compensation to the state, he remitted most of the arrearages of debt due to the national treasury. Nor was this all. By a single edict he swept away every enactment of the Triumvirate which bore with oppressive weight on any class of the citizens; and by his persuasive words and example he induced many persons to erect costly edifices for the ornament of the city and the display of their own magnificence. "Nothing," says Mr. Merivale, "could exceed the outward signs of prosperity which attended the foundation of the new constitution of Rome. Amidst the acclamations of the people, the gratitude of the nobles, and the zealous services of his associates and ministers, Octavius might tread the ground firmly and feel his footing sure." He determined, therefore, to affect a still higher degree of magnanimity, and, by the exhibition of an unhesitating confidence in the people, to secure a still firmer basis for his ambitious designs. He caused himself to be appointed Consul for the seventh time, and then, on the 1st of January, in the

year of the city 727, he formally tendered to the Senate the resignation of his imperatorial functions, in accordance with the design which he is said to have meditated two years before. That this resignation was inspired by the motives which we have suggested, and was proffered with a certainty that it would not be accepted, scarcely admits of a reasonable doubt. Octavius was not disappointed in regard to its effects. It was not accepted, but on the contrary it furnished the occasion for a further accession of power and dignity. The Imperium was conferred on him again for the additional term of ten years, together with the proconsular authority, and this grant was renewed at the expiration of every decennial term during the remainder of his life.

The renewed grant of the imperatorial power was followed by his assumption of the title of Augustus, a designation which had never before been borne by any man, but had been appropriated to the most sacred rites of religion and to the temples of the gods, and which, therefore, was peculiarly suited to mark his pre-eminence in the state. Three years afterward the Senate released him from the provisions of the Cincian law, an enactment of somewhat doubtful bearing, but which is supposed to have limited the amount of gifts either in money or real property; and at the same time the restrictions of the *lex annalis* were annulled in respect to Marcellus, the son of his sister Octavia, and to Tiberius, the son of his wife Livia by a former husband. Only one step more was needed to reach the desired goal on which his eyes had long been fixed, and this was taken in the year 731, when the tribunitian power was conferred on him for life. He was already the commander-in-chief of the armies, and the Princeps of the Senate; and by virtue of this new grant he succeeded to all the authority which the Tribunes of the people had wielded for nearly five hundred years. In the well-considered language of our author, "It placed its possessor at once at the head of the popular element in the constitution. It might serve in other hands as a counterpoise, in those of Augustus as a complement, to the powers he already wielded. It made him chief of the people, as he had before become chief of the Senate. If he was already commander of the legions, he was now supreme

over the materials from which the legions were raised. At the same time some extension was given to the functions which he exercised as prince in the Senate, or in his proconsular capacity in the provinces. He was permitted to exercise a certain paramount authority even over the Prefects appointed by the Senate in the half of the Empire confided to its care. But the tribunitian power was still justly considered the keystone of the whole imperial edifice. From this period Augustus may deserve the title of Emperor." But he was not yet satisfied; and in the following year he obtained the consular power for life, and ten years afterward the supreme pontificate.

Mr. Merivale has devoted more than fifty pages to a thorough and exhaustive analysis of the imperial authority considered as "a combination of the prerogatives of several republican officers." But we are reluctantly compelled to forego any detailed examination of this subject, and also of the very able and instructive chapter in which he reviews "the constituent elements of the imperial administration," and describes "the political condition of the Roman people, the functions and prerogatives of the privileged orders, the powers of the principal magistrates, the government of the provinces, and the military and financial systems of the Empire, as constituted by the founder of the monarchy."

The principate of Augustus, from his acceptance of the tribunitian power to his death, covers a period of thirty-six years, and for the most part is characterized by a wise, moderate, and pacific policy. From the first he exhibited great respect for the formal part of religion; and among his earliest acts were the restoration of the temple of Jupiter Feretrius in the Capitol, and the erection of numerous other temples. He built the first temple to Mars which was ever erected within the walls of the city, and also consecrated a magnificent temple to Apollo, on the Palatine Hill, beside restoring the worship of the Lares and of the god Terminus. In his attempts to place some restraint on the licentious habits of the age, and to enforce new and more stringent laws than had ever before been enacted for the purpose of securing the marriage of citizens of mature years, he was less successful, and throughout his life he labored ineffectually to cure an evil which legislation could

not reach. Akin to these measures were his enactments "to limit in some degree the infusion of new and base blood into the body politic" by means of a tax on the manumission of slaves. His personal habits and manners were unassuming and dignified; his residence on the Palatine Hill was of moderate size; his dress was simple and of domestic manufacture; he went about the city on foot, accompanied by no more than the usual number of clients and slaves; entered into familiar conversation with his friends and guests; and was abstemious in his mode of living. But there is reason to believe that he did not recommend by his own example the chastity which it was the design of his laws to enforce; and the extreme profligacy of his daughter is one of the most startling proofs of the utter degradation of the Roman morals. Though his early manhood was passed in the camp and amidst scenes of civil strife, his later years were seldom disturbed by the sound of war. His step-sons, Tiberius and Drusus, carried on some campaigns beyond the Roman frontiers, and the close of his life was darkened by the revolt of the Pannonians, and by the overthrow of Varus with the loss of three legions in Germany; but for the greater part of the period during which he held undisputed sway in Rome, the Empire enjoyed an unwonted tranquillity.

Augustus made a profitable use of a condition of affairs so congenial to his own tastes; and, aided by the wise counsels of Agrippa and Mæcenas, he did much to enrich and beautify the imperial city, beside erecting temples in many of the principal cities in the provinces. To this topic Mr. Merivale has devoted one of his most attractive chapters. Of the approach to Rome, he gives a very animated and picturesque description, a part of which we extract.

"From whichever side of Italy the stranger approached the imperial city," he says, "he emerged from the defiles of an amphitheatre of hills upon a wide, open plain, near the centre of which an isolated cluster of eminences, moderate in height and volume, crowned with a vast assemblage of stately edifices, announced the goal towards which, for many a hundred miles, his road had been conducting him. There were two main routes which might have thus led him from the provinces to the capital, the Appian from Greece and Africa, and the Flaminian from

Gaul; but the lines of the Servian wall, which still bounded Rome in the age of Augustus, were pierced with eighteen apertures, each of which admitted a well-appointed road from the nearer districts of the peninsula. The approach to the greatest of cities was indicated also by works of another kind, the most magnificent and imposing in their character of any of the Roman constructions. In the time of Augustus, seven aqueducts brought water from distant sources to Rome. Some of these streams, indeed, were conveyed underground in leaden pipes throughout their whole course, till they were received into reservoirs within the walls, where they rose by their own weight to the level required for the supply of the highest sites. Others, however, entered the city upon a succession of stone arches, and of these the Aqua Marcia, which was derived from the Volscian mountains, was thus sumptuously conducted for a distance of 7,000 paces, before it reached the brow of the Esquiline Hill.* These monuments of the pomp and power of the people to whose wants they so ostentatiously ministered, were rendered the more impressive from the solitudes through which for many miles they planted their giant footsteps. The Campagna, or plain of Rome, at the present day the most awful image of death in the bosom of life anywhere to be witnessed, was already deserted by the vast swarms of population which three centuries before had made it the hive of Italy. The fertile fields of the Hernici and Æqui had been converted into pasture-land, and the cultivators of the soil, once the denizens of a hundred towns and villages, had gone to swell the numbers of the cities on the coast. Even the fastnesses in the hills had been abandoned in the general security from external attack; while the patrician villas with which Central Italy was studded were buried in the shade of woods or the cool recesses of the mountains. For many months of the year, it may be added, the heat was too oppressive for journeying by day, whenever it could be avoided; the commerce of Rome was chiefly carried on by means of the river;† and the necessities of warfare no longer required the constant passing and repassing at all hours of soldiers, couriers, and munitions. The practice of riding by night seems to have been generally adopted, so that the movement

* "Strabo, V. 3; Plin. Hist. Nat. XXXI. 3. 24. Corrected by Frontinus in his special treatise on the aqueducts, c. 7."

† "There are picturesque allusions to the movement on the river in Propertius, I. 14:

Et modo tam celeres mireris currere lintres,
Et modo tam tardas funibus ire rates:

and Martial, IV. 64:

Quem nec rumpere nauticum celeusma;
Nec clamor valet helciariorum."

on the roads gave little sign by daylight of the vicinity of so vast a haunt of human beings, with their manifold interests and occupations.* Nor was the proximity of so great a city indicated, long before arriving at its gates, by suburbs stretching far into the surrounding plain. The rhetorical flights of certain writers who would assure us of the contrary, and persuade us that Rome sent forth her feelers as far as Aricia and Tibur, and that many cities were attached to the Great City by continuous lines of building, are plainly refuted by the simple fact that groves, villages, and separate houses are repeatedly mentioned as existing within three or four miles of the capital." † —Vol. IV. pp. 478 – 481.

Our author then proceeds to speak of the nearer approach to the city through the long lines of tombs by which the roadside was lined, and finally conducts his readers within the walls, describing the principal portions of the city, its hills, palace, and temples, with some suggestive remarks on the general character of the Roman architecture, and concluding with a very elaborate and careful estimate of the population in the time of Augustus. From the limited area of the city, and the absence of populous suburbs, from the recorded number of houses and the number of persons supplied with grain from the public stores, and from some other considerations of a similar character, he concludes that the whole population, including those who dwelt beyond the walls, must have fallen short of seven hundred thousand, — an estimate much below those usually formed, but which, nevertheless, rests on substantial grounds of argument, and probably is not far from the truth. As he well remarks, Rome was not

"calculated, from the position it held among the great cities of the Empire, to attain any vast development of population. It was neither a commercial nor a manufacturing city. It was not the emporium of a great transit trade, like Alexandria, nor the centre of exchange among a host of opulent neighbors, like Antioch. It was not surrounded by

* "Many indications might be alleged of the frequency of night travelling. The Allobroges were circumvented on their leaving Rome in the evening. Catilina made his exit from the city at night; so did Curio and Antonius. Comp. Juvenal, X. 19:

Pauca licet portes argenti vascula puri
Nocte iter ingressus."

† "See the passages of the ancients, and ill-considered inferences of the moderns, in De la Malle, Econ. Pol. I. 375."

the teeming hives of life which encircled Babylon and Seleucia. Nor was it increased by the ever-accumulating wealth of all classes of society, like modern London, or by the constant tightening of the bands of centralization, by which the life-blood of the provinces is flooded back upon Paris. It was not the natural focus of attraction for the devotees of ease and luxury; but every one who had the means escaped from it as often and as much as he could, and exchanged its ungenial climate and pestilential air for the cool breezes of the mountains or the coast, and the voluptuous recreations of a Campanian watering-place. The country around it was almost abandoned, in the imperial period, to the maintenance of cattle, and the drain of human life caused by its crowded state and baneful atmosphere was only replenished by immigration from distant shores. I will not compare it with Madrid, a mere royal residence, nor with the marble exhalation of St. Petersburg; but of modern capitals Vienna may perhaps be considered most nearly to resemble it. Its great social characteristic was the entire absence of a middle class, the bone and sinew of cities as well as of empires; and its population mainly consisted of the two orders of wealthy nobles on the one hand, whose means were in process of trituration under the pressure of the imperial imposts, and the poor citizens on the other, who clung to the forum and the circus for the sake of their amusements and largesses." —*Ibid.*, pp. 527, 528.

Nevertheless the streets of Rome were crowded in the time of Augustus with a busy and bustling population; and in the second century of our era the number of the inhabitants had become so great that it was necessary to forbid the use of loaded wagons within the walls, lest their passage from one part of the city to another should interfere with the convenience and safety of pedestrians. As Mr. Merivale reminds us, Juvenal describes "the crush of these heavy-laden machines, and the portentous swinging of the long beams they carried, round the corners of the narrow streets, as among the worst nuisances and even terrors of the citizen's daily walk." The early Romans had had little idea of the size to which their mud-built city might grow, and when Augustus began to rebuild it, it must have been a most uncomfortable place of residence. Not only were its streets few and narrow, and the greater part of its population crowded into the valleys between its wide-spreading hills, but from its compactness, and the general use of wood as a building material, it was exposed to fre-

quent and extensive fires, and to this must be added a constant risk of inundation from the waters of the Tiber. At this time a large proportion of the population were of foreign birth, and it was a chief concern of Augustus and his successors, as well as of the richer citizens, to devise amusements for them, partly to display their own magnificence and partly to insure domestic tranquillity. For this purpose the Campus Martius was set apart, and numerous costly structures were erected, both within and without the walls, designed to accommodate the largest number of persons possible; and it is computed that the different theatres in existence in the time of Augustus could afford seats for as many as ninety thousand persons, while in the Circus Maximus there were seats for at least one hundred and fifty thousand more, or about a quarter part of the entire population. For the elevated pleasures of the Greek drama the populace of Rome had no taste, though they seem to have been, on the whole, fond of dancing and singing, and most of their dramatic performances were therefore mere pantomimes. Spectacles of all kinds, gladiatorial combats, conflicts with wild beasts, chariot-races, and feats of legerdemain afforded them their chief amusements, and, as Mr. Merivale pithily remarks, "their amusements were now their most serious occupations."

The patricians led a somewhat more active life, and of the manner in which a Roman noble passed the day our author has given a very vivid picture.

"The Roman noble," he says, "rose ordinarily at daybreak, and received at his levée the crowd of clients and retainers who had thronged the steps before his yet closed door from the hours of darkness.* A few words of greeting were expected on either side, and then, as the sun mounted the eastern sky, he descended from his elevated mansion into the Forum.† He might walk surrounded by the still lingering crowd, or he might be carried in a litter; but to ride in a wheeled vehicle on such occasions was no Roman fashion.‡ Once arrived in the

* "For the disposal of the Roman's day, see particularly Martial, IV. 8: Prima salutantes atque altera continet hora, &c. Comp. the younger Pliny's account of his uncle's day. Epist. III. 5; Cf. III. 1."

† "The phrases, *descendere in forum* or *in campum* (so Hor. III. 1, Descendit in campum petitor), refer to the comparative level of the noble mansion on the hill, and the public places in the valley or plain. Champagny, Césars, II. 256."

‡ "The Romans rode in carriages on a journey, but rarely for amusement, and

Forum, he was quickly immersed in the business of the day. He presided as a judge in one of the basilicas, or he appeared himself before the judges as an advocate, a witness, or a suitor. He transacted his private affairs with his banker or notary; he perused the public journal of yesterday, and inquired how his friend's cause had sped before the tribunal of the prætor. At every step he crossed the path of some of the notables of his own class, and the news of the day and interests of the hour were discussed between them with dignified politeness.

"Such were the morning occupations of a *dies fastus*, or working day; the holy-day had its appropriate occupation in attendance upon the temple services, in offering a prayer for the safety of the Emperor and people, in sprinkling frankincense on the altar, and, on occasions of special devotion, appeasing the gods with a sacrifice. But all transactions of business, secular or *divine*, ceased at once when the voice of the herald on the steps of the Hostilian Curia proclaimed that the shadow of the sun had passed the line on the pavement before him, which marked the hour of midday.* Every door was now closed; every citizen, at least in summer, plunged into the dark recesses of his sleeping-chamber for the enjoyment of his meridian slumber. The midday siesta terminated, generally speaking, the affairs of the day, and every man was now released from duty and free to devote himself, on rising again, to relaxation or amusement till the return of night. If the Senate had been used sometimes to prolong or renew its sittings, there was a rule that after the tenth hour, or four o'clock, no new business could be brought under its notice, and we are told of Asinius Pollio, that he would not even open a letter after that hour.† Meanwhile Rome had risen again to amuse and recreate itself, and the grave man of business had his amusements as well as the idler of the Forum. The

never within the city. Even beyond the walls it was considered disreputable to hold the reins one's self, such being the occupation of the slave or hired driver. Juvenal ranks the Consul, who creeps out at night to drive his own chariot, with the most degraded of characters; that he should venture to drive by daylight, while still in office, is an excess of turpitude transcending the imagination of the most sarcastic painter of manners as they were. And this was a hundred years later than the age of Augustus. See Juvenal, VIII. 145, foll."

* "I allude to the passage, well known to the topographers, in Pliny, Hist. Nat. VII. 60: Meridies ..... accenso consulum id pronuntiante, quum a curia inter rostra et Græcostasim prospexisset solem. The reader will observe that this refers in strictness to an earlier period, and that the Curia Hostilia was destroyed in the year 52 B. C."

† "Senec. de Tranq. Anim. 15: Quidam nullum non diem inter et otium et curas dividebant; qualem Pollionem Asinium, oratorem magnum, neminimus, quem nulla res ultra decimam retinuit; ne epistolas quidem post eam horam legebat, ne quid novæ curæ nasceretur."

exercises of the Field of Mars were the relaxation of the soldiers of the Republic; and when the urban populace had withdrawn itself from military service, the traditions of the Campus were still cherished by the upper ranks, and the practice of its mimic war confined, perhaps, exclusively to them. The swimming, running, riding, and javelin-throwing of this public ground became, under the Emperors, a fashion of the nobility; * the populace had no taste for such labors, and witnessed perhaps with some surprise the toils to which men voluntarily devoted themselves, who possessed slaves to relieve them from the most ordinary exertions of the day. But the young competitors in these athletic contests were not without a throng of spectators; the porticos which bordered the field were crowded with the elder people and the women, who shunned the heat of the declining sun; many a private dwelling looked upon it from the opposite side of the river, which was esteemed on that account a desirable place of residence. Augustus had promised his favor to every revival of the gallant customs of antiquity, and all the Roman world that lived in his smiles hastened to the scene of these antique amusements to gratify the Emperor, if not to amuse themselves." † — *Ibid.*, pp. 549 – 552.

The day ended with the cœna, or supper, which, according to Mr. Merivale, "deserves to be described as a national institution." It furnished the occasion for friendly meetings, designed equally for the gratification of the body and the mind. In the best days of Rome, indeed, conversation formed one of the chief delights of these festive gatherings, and when this drooped, the guests were invited to listen to recitations in honor of the national heroes. But it must be remembered that there was always a want of refinement in the tastes of the Romans, and with the increase of luxury conversation at table lost much of its original charm. In the time of Augustus the convivial excesses of the nobles had reached a height which may well excite surprise, though those excesses only indicate too faithfully the actual state of public and private morals.

* "See for the exercises of the Campus, Hor. Od. I. 13, Art. Poet. 379."

† "Horace knew how to gratify the Emperor by his frequent allusions to the exercises of the Campus. It is probable that they declined in interest at a subsequent period, and the mention of them becomes comparatively rare. But they still constituted a part of the ordinary occupation of the day in the second century of the Empire (Martial, II. 14, IV. 8), and were not disused in the third. Hist. Aug. in Claud. 13. Fecerat hoc adolescens in militia quum ludicro Martiali in campo luctamen inter fortissimos quosque celebraret."

The citizens then "vied with one another in the cost rather than the elegance of their banquets, and accumulated with absurd pride the rarest and most expensive viands on their boards, to excite the admiration of their parasites, not to gratify their palates." In the primitive times the Romans had sat at their meals; but afterward they adopted the custom of reclining on low stuffed and cushioned couches, arranged on three sides of the table in such a manner that the slaves in attendance could wait on their master and his guests without incommoding them. The inferiority of the women was shown by placing them together on one of the side couches. When the custom of reclining at table was introduced from Greece, the women and boys were required to sit; and it was not until some time afterward that they were allowed to assume a recumbent position.

Mr. Merivale closes his account of Roman life in the age of Augustus with some remarks on the schools of the rhetoricians, and the habits of declamation which they so industriously cultivated, together with some general observations on the style of the Augustan writers, with special notices of Livy, Virgil, Horace, Propertius, Tibullus, and Ovid, considered as representative men. The first of these great writers he regards as indifferent to historical accuracy, but as having rendered an important service to his countrymen by "making them acquainted with their ancestors and proud of their descent." Virgil he considers as an enthusiast, whose special design it was to recommend the government of Augustus to the intellectual portion of the Roman people, by connecting it with the ancient glories of Troy; and to the maintenance of this thesis our author devotes ten or twelve pages. "His ardor in the cause of law, order, and tradition," we are told, "assumed the character of a religious sentiment, and he conceived himself devoted to a great moral mission." Horace, too, he asserts, served as an agent of the government in exposing to scorn or ridicule those whose wealth and fondness for display might make them dangerous rivals to Augustus, and in recommending "moderation and contentment to the restless nobles." In the other three writers he discovers no special political object; and in respect to Tibullus he says, "Throughout his works there is no mention made either of

Augustus or of his ministers and associates." To much of his criticism on the Augustan literature little or no exception can be taken; but in respect to Virgil and Horace we are inclined to think that he has carried his views too far, and that their writings have not in truth so deep a political significance as he attaches to them. Undoubtedly it is easy to find in each writer many passages to confirm the view so skilfully urged by Mr. Merivale; but it by no means follows that either poet wrote under the inspiration of a distinct political object, or with the express design of making his writing the buttress of any special form of government.

The family history and domestic relations of Augustus do not afford a pleasing subject of contemplation. For his first two wives, Claudia and Scribonia, he seems to have felt little affection, and both were divorced soon after their marriage. His third wife, Livia Drusilla, was an able, ambitious, and intriguing woman, whose character is drawn in much too favorable colors by Mr. Merivale. His sister Octavia, whose misfortunes, not less than her personal worth, must always command our sympathy, was married to Marcus Antonius; and the shameless adulteries of her husband, even more than the early death of her son by a previous marriage, threw a thick cloud over her own life, while she was also the victim of Livia's ambitious designs. Julia, the only daughter of Augustus, was three times married, — to Marcellus, Agrippa, and Tiberius; but her personal character was so profligate, that her father was compelled to banish her from the city. Her two eldest sons by Agrippa died during their grandfather's life, and with them perished the principal hope of transmitting the imperial dignity in the direct line of his own blood, for their younger brother had fallen under his displeasure, and been banished to the rocky island of Planasia in the Tyrrhene Sea. He had, however, adopted as his own the sons of Livia by her first husband, Tiberius Nero and Drusus Claudius Nero, and on the death of Augustus, which occurred on the 19th of August in the year of the city 767, the eldest, Tiberius, who alone survived, succeeded to the vacant honors.

The principate of Tiberius extended over a period of twenty-three years, and may be divided into two nearly equal

parts, the first comprising ten years of tolerably good government, and the second including his worst acts of tyranny and the gross excesses of his long sojourn at Capreæ. In relating the history of this Emperor, Mr. Merivale is inclined, we think, to place his character and acts in as favorable a light as they will bear, without becoming his apologist. The mother of Tiberius doubtless exercised a controlling influence over him during the greater part of her life, and this influence was seldom or never exerted for wise and beneficent ends. Moreover, many of his worst acts may fairly be ascribed to the evil counsels of his favorite Sejanus, while it must also be admitted that there was perhaps a touch of insanity in his moody and perverse mind. But even with the necessary allowance for these extenuating circumstances, it is certain that there was enough in his life to justify the common estimate of his character. The opportune murder of Agrippa Postumus, the only surviving grandson of his predecessor, which was announced only a few days after the accession of Tiberius, was popularly believed to have been perpetrated at his command; and this was only one of many similar occurrences by which the earlier as well as the later part of his principate was marked, and from which he derived such obvious advantage that it is difficult not to believe that they were at least planned by him. His extension of the law of Majestas or treason; his encouragement of delation, one of the worst evils of that or of any age; the mystery which he allowed to hang over the death of his nephew, Germanicus; his remorseless treatment of the elder Agrippina while she was living, and his unblushing accusations against her after she had starved herself to death in her island-prison; his persecution of her family and friends; and the savage cruelty of his later years, — all tend to throw light on his real character, and to show that he has not been too harshly judged.

On the death of Augustus he appears to have succeeded to the government by the general consent of all classes, rather than by any direct action of the Senate. "He already possessed," we are told, "the Imperium, which required no further instrument to give him the control of the legions and provinces; the tribunitian and proconsular power had been

conferred on him on a previous occasion, and the prerogatives of the consular were sufficiently understood without a distinct and formal recognition. The principate was, perhaps, virtually conferred without a special act, by tacitly yielding to him the first voice in the Senate, and the popular suffrage, in which lay the disposal of the chief pontificate, might easily be taken for granted." No one, indeed, supposed for a moment that Tiberius was the most suitable person in the state to wield the powers which Augustus had been slowly accumulating; but he was the adopted son of the late Emperor, and there was no one of the prominent citizens who was either able or willing to come forward as his competitor. At a little later period, when he had still further consolidated the imperial supremacy, opposition and rivalry were equally vain.

During his principate many of the powers of the government which had been intentionally left by Augustus in an undefined state were settled in such a manner as to give increased weight and influence to the Emperor. Of the changes which were thus effected in the constitution, perhaps the most significant was the transfer of the chief functions of the Comitia to the Senate, a body which was more directly under the imperial influence, and was seldom able or willing to assume an attitude of opposition to any of the wishes of the government. By virtue of the powers which were now transferred to the patrician assembly, the plebeians or their representatives had elected certain magistrates, had enacted the laws needed to give effect to the senatorial decrees, and had decided various questions of public and private law. In respect to the first of these functions, it is to be observed that the popular right of election had been restricted to very narrow limits by the first Cæsar, and afterward by the Triumvirs; but Augustus, retaining in his own hands the right of selecting one half of the magistrates, restored to the Tribes the privilege of choosing the others, subject to his veto on the nomination of unworthy candidates. Tiberius carried this reform of the founder of the monarchy still further, and submitted his nominations to the Senate instead of the Comitia, which now met only to accept the nominations of the Senate; and by this change he brought the elections still more directly under his control.

As Mr. Merivale remarks: "From henceforth we are to consider not only that every consular appointment is made by the mere voice of the Emperor, but that every other magistrate is chosen by the Senate, partly upon the imperial nomination, partly with a show of free selection, and, finally, that to these at least the popular sanction is also ostensibly given. The effect of the reform, therefore, is after all not the transfer of any substantial power from the one assembly to the other, but simply an additional ray of pale and doubtful lustre cast upon the laticlave of the Senator." The popular right of choosing the various officers of the state, which was thus virtually abolished, had never been disputed under the Republic; but the authority of the legislative enactments of the Plebs had never been willingly conceded, and the Senate had constantly labored to establish the independence of its own legislative power. With the lapse of time the senatorial encroachments on the popular privileges increased in importance, and the Senators began at length to claim the right of annulling the resolutions of the Comitia; and we have already seen that, in the case of Augustus and his step-sons, they unhesitatingly exercised a dispensing power in regard to two at least of the fundamental laws. Augustus, however, in accordance with his conservative policy, steadily upheld the legislative power of the Plebs; but under Tiberius it was practically withdrawn from them: and we are told that "two instances only are known of Leges passed in the regular course under his administration, while the Consulta of the Senate are sufficiently numerous." The loss of these two privileges was doubtless a serious blow to the popular element in the government; but the loss of the criminal jurisdiction of the Tribes was still more significant of the change which was gradually taking place in the relations of the people and the Emperor. Perhaps the most important feature of this jurisdiction was the right of the popular assemblies to determine appeals in capital cases. This right, however, was really extinguished when Augustus reserved to himself the final decision in all cases; and the other judicial rights of the Comitia had practically fallen into abeyance at a somewhat earlier period by the institution of the Questiones Perpetuæ, or standing courts of justice, though their

existence had hitherto remained unquestioned. But under the first and second Emperors, many of the judicial rights which had thus been withdrawn from the people were transferred to the Senate, so that from the time of Tiberius that body "may be described as a High Court of Criminal Jurisdiction of the most comprehensive kind," but virtually under the control of the Emperor himself. By these changes the most important rights which the people had possessed under the Republic were transferred nominally to the Senate, but really to the Emperor; and "henceforth," as Mr. Merivale remarks, "it depended upon the personal character of the chief of the state whether the government of Rome assumed or not the appearance of that autocratic despotism which it really was, however the fact might be disguised."

Beside these fundamental changes some other modifications were introduced into the laws, and some new enactments were framed, which still further consolidated the imperial power; but they need not detain us here, and we pass to the only remaining topic connected with the internal condition of the Empire under Tiberius, to which we can now refer, — his encouragement of delation. Originally the delator was a person who gave notice of moneys that had become due to the imperial treasury, but afterward the signification of the term was extended so as to include any person who gave information of a crime punishable by a fine. When Augustus undertook to enforce his stringent laws on the subject of marriage, numerous persons were employed as informers to search out those who violated the laws. Soon delation became an extensive and profitable trade, "the broad and beaten path of a crafty ambition," and under Tiberius, especially in his later years, it was diligently encouraged. Of the origin and progress of this tremendous evil, which more than anything else brought obloquy on the second Emperor, Mr. Merivale gives a vigorous and masterly sketch, which we venture to cite, notwithstanding its length.

"But this infamous practice," he says, "became so marked a feature in Roman society, and affected so painfully the imaginations of the people, that it will be well to spend a few moments here in depicting to ourselves its action more widely. We must trace it back, like

every other pest of the imperial times, to its first origin under the Republic, when the evil inherent in its principle was disguised or even ennobled by loftier aims, and by the freshness of its growth in an atmosphere of freedom. The liberty of the Roman citizen, the prime jewel of his existence, was to be maintained at any price. It was maintained by a system of universal terrorism. Every citizen was invited to watch over the conduct of his compatriots, and to menace every deviation from the path of civil virtue with a public accusation. Every young noble was trained in the art of pleading, partly to enable him, when his own turn came, to defend himself, but primarily to furnish him with weapons of offence, and thereby with the means of self-advancement. Rhetoric was an instrument of power, by which he might expect to make himself admired by the people, and feared by competitors of his own class. He fought his way to public honors on the floor of the law-courts, dragging successively from their benches the tribunes, the prætors, and the consuls, before whom he first began his career of eloquence. The intrigues and treasons of the men in power did not always suffice to furnish victims for this mania of impeachment: it was necessary to extend the inquisition into the provinces, and summon before the bar of Roman opinion the governors who had sinned, if not against the laws of the Republic, against those at least of humanity and justice. To interest the citizens, to inflame their passions, to bias their judgments on the subject of crimes thus perpetrated on remote provincials, required a great accession of eloquence and art; but the genius and industry of the young advocates and their teachers kept pace with every demand upon them. Feelings of party were appealed to in the place of genuine patriotism. The truth of the accusation was found to be of little importance; it was the great triumph of the rhetorician, not unfrequently gained, to baffle and trample down the interests of a political faction, without regard to the intrinsic merits of the case. The young orator, who at the age of nineteen or twenty years could sway the votes of a bench of judges against some veteran proconsul, grown gray in the service of the state, was marked as sure to rise to the highest political eminence.* The energy and aggressive spirit of the Romans was ever conspicuous in the toga no less than in the sagum; they preferred the attack to the defence in the forum as well as in the field.

"It was the glory of Cicero that he abstained in his early career, while yet his fame was to be acquired, from this common routine of

* "Thus Crassus maintained an accusation at nineteen years, Cæsar at twenty-one, Pollio at twenty-two. Tac. de Orat. 34; Quintil, Inst. XII. 6. On this subject see some brilliant paintings in Champagny's Césars, I. 236."

prosecution, and sought the less dazzling career of a pleader for the accused. Yet in the most glowing of his effusions, both in public and personal causes, he appears as the assailant, and neither humanity nor policy prevent him from declaring himself the enemy of the man against whom he seeks to enlist the prejudices of his hearers.* The Romans made no scruple of avowing their personal animosities; the spirit of revenge with them was a virtue which a man would affect if he had it not.† In the heart of the Roman, friendship occupied the place of love; it was invested with a sanctity and solemnity of obligation which approached almost to chivalry; but the reaction from it was an enmity not less deeply felt nor less solemnly pronounced; the foe was not less devoted than the friend.‡ Neither shame, therefore, nor humanity interfered to check this passion for accusation, in which the Romans were to the full as unscrupulous and unfeeling, though dealing with their own countrymen, as they were in invading the lands of the foreigner. This fearful vice was gilded under the free state by the splendor of the objects to which it was directed, the magnitude of the interests involved, and the abilities and powers of the giants it summoned to the contest.§ In the atmosphere of liberty it called many corresponding virtues into action; it produced on the whole one of the highest manifestations of human nature, and, taking the good with the evil, we may not perhaps be entitled to regret the existence which was permitted to it. But for the same vice, as it appeared under the Empire, no such excuse can be offered. Then, too, as soon as the young

* "There are some curious passages in the speech *de Provinciis Consularibus*, in which Cicero excuses himself for seeming to waive his notorious hostility to Cæsar: 8. Me communis utilitatis habere rationem non doloris mei. 18. Accepi injuriam; inimicus esse debui; non nego. 20. Hoc tempore reipublicæ consulere, inimicitias in aliud tempus reservare deberem."

† "Tac. de Orat. 36. Assignatæ domibus inimicitiæ. 40. Jus potentissimum quemque vexandi, atque ipsa inimicitiarum gloria. Hist. II. 53: Ut novus adhuc, et in senatum nuper ascitus, magnis inimicitiis clarescent. Champagny, I. p. 237."

‡ "The Duel, the legitimate descendant of private warfare, could have no place in Roman society, which regarded man as the citizen only, an unit in the body corporate. Personal violence was prohibited by law, and even carrying arms was interdicted. The *Cut*, the resource of sullenness and shyness, is, I believe, a strictly English institution; and the formal renunciation of friendship was the last resource of outraged feeling among the Romans. Thus Germanicus sends Piso a solemn declaration that their friendship is at an end. Tiberius forbids Labeo his house. Tac. Ann. VI. 29. Morem fuisse majoribus, quoties dirimerent amicitias, interdicere domo, eumque finem gratiæ ponere. In reply to the common apology for the duel, that it prevents assassination, it may be remarked, that assassination was almost unknown to a late period among the Romans."

§ "The reader should refer to the passage of Tacitus de Orat. 34 – 37, one of the most interesting in ancient literature."

patrician had quitted the schools of the declaimers, he longed to make a trial of his accomplishments, and sought an object on which to flesh the maiden sword of his eloquence. There were no longer party interests into which to throw himself; the class of intriguing politicians no longer existed, whose attempts against the liberties of the commonwealth demanded his vigilance and invited his exposure; the provinces, administered at last on settled principles, and kept under the eye of the central government, afforded still some, but much rarer, cases of public wrong to denounce and avenge. What remained, then, for the young aspirant to do? How exercise the gifts he had so long been fostering in private, and ventilate in the common air the talents to which schools and saloons had accorded such inspiriting acclamations? The progress of special legislation, diverted as it was from the public to the private career of the Roman, entering into his dwelling, and penetrating the recesses of his home-life, gave birth to manifold modes of transgression and evasion, such as the prying eyes of a domestic spy alone could track. The government, which might despair of vindicating its authority by the exertions of its own officers, was grateful to the passion for forensic distinction which now urged the aspirant for fame to drag to light every petty violation of every frivolous enactment. According to the spirit of Roman criminal procedure, the informer and the pleader were one and the same person. There was no public accuser to manage the prosecution for the government on information from whatever sources derived; but the spy who discovered the delinquency was himself the man to demand of the Senate, the prætor, or the judge an opportunity of proving it by his own eloquence or ingenuity. The odium of prosecution was thus removed from the government to the private delator; an immense advantage to a rule of force which pretended to be popular. The common right of accusation, the birthright of the Roman citizen, the palladium, so esteemed, of Roman freedom, became thus the most convenient instrument of despotism. But however odious such a profession might generally make itself, whatever the infamy to which it would be consigned by posterity, those who practised it reaped the reward they sought in money and celebrity, in influence and authority, in the favor of the prince, and not rarely in the applause of the multitude. They could wreak their malice upon their private enemies under the guise of zeal for the public service; they might gratify the worst of passions, and exult, under the shadow of the imperial tyranny, in the exercise of a tyranny hardly less omnipotent of their own. The social corruption such a state of things produced grew fast and rankly, and is marked by the swift progress of the contagion from the first raw and ignoble professors to men of real distinction in

the state. Beginning with youths fresh from school, or the teachers of rhetoric themselves, it soon spread to magistrates and consulars, and many of the most illustrious statesmen of the early Empire were notorious for their addiction to this meanest and most debasing of vices."—Vol. V. pp. 166 – 172.

It is one of the worst features of the reign of Tiberius, that he encouraged this detestable practice, until it grew to such an extent that it could no longer be controlled; and in the latter half of his principate delation was one of the most efficient means of destroying any man on whom the imperial suspicion fell. Real or imaginary offences were paraded as the ground of accusation by the delator, and an upright character or great public services were of little avail against the influence which could at any moment be thrown into the adverse scale. The last ten years of this reign form one of the worst periods of Roman history. Secluded from the public gaze in the island of Capreæ, not far from the spot where Naples now stands, Tiberius led an idle and dissolute life, and was felt at Rome only as an absent tyrant, who took little or no thought of the welfare of the Empire, but who was ever ready to crush those whom he feared or hated. On this little island he erected as many as twelve different villas, named after the greater gods, and, surrounding himself with Greek professors, with soothsayers, astrologers, and the like, he was believed by his contemporaries to pass his time in the foulest debaucheries and the most sanguinary cruelties. But whether this belief was founded in fact or not, it is certain that from the date of his withdrawal to Capreæ there was a marked deterioration in his government; and that the murders which are directly chargeable to him inspired a wide-spread and deeply-seated terror in all classes. The announcement of his death must have been a relief to many, even though it was supposed that he perished by the hand of his successor. This statement, however, was sustained by no satisfactory evidence, and if we take into consideration his advanced years, seventy-eight, we need not hesitate to accept the common belief that his death was occasioned by natural causes. He died on the 16th of March, in the year of the city 790.

Tiberius was succeeded by his grand-nephew, Caius, com-

monly called Caligula, the son of Germanicus and the elder Agrippina. The new Emperor began his principate under favorable auspices, and his first acts were liberal and politic. He made large gifts to the citizens and soldiers, granted a general pardon to the prisoners of state and recalled from banishment those who were in exile, publicly burned the informations against his mother and his elder brothers, at the same time declaring that he had not ascertained the names of the delators by whom they had been accused, expelled from Rome the worst instruments of his predecessor's despotism, restored to circulation the writings which had been suppressed by the Senate, and published an account of the imperial expenditures in accordance with the practice of Augustus. But the hopes inspired by this early promise were bitterly disappointed. After a few months of assiduous devotion to business he rushed into the wildest excesses of dissipation. "The games of the circus were continued with occasional interludes," we are told, "through the whole twelve hours of the day; and on special festivals the arena was strewn with cinnabar and borax, and the chariots driven by none under the rank of a Senator. But even these follies were less criminal than the vices and sensualities to which they led the way." A severe illness which occurred about this time has been charitably supposed to have permanently affected his mind; and it is certain that after his recovery the worst features in his character were more than ever conspicuous. One of the first acts by which his restoration to health was marked was to cause the young grandson of Tiberius to be privately despatched; and this was only the first in a long series of similar atrocities. Delation was found to be too costly a means of ridding the Emperor of his enemies, since the informers naturally demanded a part of the confiscated estates of their victims; and accordingly Caius substituted the less expensive but equally efficient method of commanding the person whose death he desired to commit suicide. Whenever this expedient failed, the papers of Tiberius, which he had pretended to destroy unopened, afforded all the desired evidence; and it was generally sufficient to allege that the victim had been an accomplice of Sejanus, the detested favor-

ite of Tiberius, or that he had been an enemy to the family of Germanicus, whose popularity with the common people was largely reflected on all who were connected with him by blood or friendship. Added to this, a systematic persecution of the rich nobles was begun and carried forward with remorseless activity, while the Emperor's narrowness of mind was shown by numerous little acts of tyranny. Thus he caused the statues of the heroes of the Republic which Augustus had set up to be thrown down and broken in pieces, forbade the last collateral descendant of the great Pompeius to bear the surname of Magnus, commanded the works of Virgil and Livy to be withdrawn from the public libraries, saying that the first had neither genius nor learning, and that the second was a mere careless blunderer, proposed to abolish the institution of the jurisconsults, and even threatened to repeal every existing enactment throughout the Empire, and make his own will the sole law. Nor was this all. Having by his follies and his tyranny alienated the nobles who had at first welcomed his accession as a relief from the gloomy despotism of Tiberius, he next destroyed his popularity with the common people by laying on them a load of taxation which neither of his predecessors would have dared to impose. The Romans had always been jealous and impatient of taxation in any form, and, when Caius imposed new taxes in order to replenish his exhausted treasury, the popular indignation at once made itself felt. "The citizens," says Mr. Merivale, "refused to follow in the theatre his signal to applaud or condemn: they beheld with indifference the feats of the imperial athlete himself; the shows and games, which they had regarded almost as their daily food, ceased at last to attract them; and it was probably in vexation at this sullen yet passive disobedience, which baffled both his menaces and caresses, that he uttered his well-known exclamation, accompanied no doubt with the significant gesture by which he intimated his cruel will to his headsmen, *Would that the people of Rome had but one neck!*"

It was natural that a principate characterized by such acts should witness more than one conspiracy against the head of the government. Caius had enjoyed the supreme power only

two years when, according to the account which he himself caused to be circulated, a conspiracy was formed by Æmilius Lepidus, in concert with the Emperor's two sisters, the younger Agrippina and Livilla, for the overthrow of the government. The conspiracy was discovered; its leaders were executed; and the sisters were sent into banishment; but the spirit of opposition was not crushed. In the following year another conspiracy, headed by Cerialis, was discovered, and broken up; and not many months afterward, a third and more successful conspiracy was formed by Cassius Chærea, the tribune of a prætorian cohort, who had experienced some personal affronts from Caius. The period fixed for its execution was the week devoted to the celebration of the Palatine games. It was not, however, until the fifth and last day of the festival that the conspirators were able to summon resolution enough to strike the fatal blow. On the evening of that day, the 24th of January, in the year of the city 794, Caius was stabbed to death in one of the vaulted passages of his palace by Chærea and Sabinus, another prætorian tribune. The Emperor was in his thirtieth year, and had reigned only four years.

Immediately after the assassination of Caius, the Senate was called together by the Consuls, to decide the question of succession; "but while they deliberated," to adopt the striking phrase of Gibbon, "the prætorian guards had resolved." The person whose cause they had espoused was Tiberius Claudius Drusus, a native of Lyons, but connected by marriage with the Cæsar family, and uncle of the late Emperor. During the confusion which followed the murder of Caius, he had concealed himself behind a curtain in an obscure corner of the palace. Here he was discovered by some of the prætorians, who were plundering the deserted rooms, and who bore him off, half dead with fright, to their camp; but instead of inflicting on him the death which he anticipated, they hailed him as Imperator, and gathering around him urged him to accept the throne. Gradually recovering his courage, he permitted them to swear allegiance to him, and even promised them large gifts of money as the price of their fidelity. Meanwhile, the Senate, finding that Claudius was likely to become a formidable competitor for the vacant principate, and to be supported by a numerous body

of veteran troops, determined to yield to a necessity which they could not surmount, and accepted the despised Claudius as Emperor. By these occurrences the prætorians gained an influence in the state which they never afterward lost. The precedent which Claudius first set by the purchase of their support was never suffered to be forgotten.

Claudius was a person of very limited intellect, and though his principate extended over a period of thirteen years, it need not detain us long. His education had been scandalously neglected, and his bodily and mental infirmities alike concurred to withdraw him from all knowledge of public affairs in his early years; and when he came to the throne he was entirely under the influence of the women by whom he was surrounded and of his freedmen. His first two wives were divorced not long after his marriage, one on account of an intrigue with a freedman, the other for some minor offence. His next wife, the youthful Messalina, was a woman of the most notorious profligacy, and though Mr. Merivale is inclined to think that her vices have been exaggerated, and that some allowance must be made on account of her youth, her name has descended to our time as one of the most expressive synonymes of immorality. His fourth and last wife was the younger Agrippina, a woman of greater ability but of scarcely less infamous character, who, after many intrigues to deprive her husband's son of the succession in order to secure it for her own offspring, finally set the seal on her atrocities by poisoning Claudius five years after their marriage. The freedmen of the palace were not less dissolute and cruel than these women, and in any candid estimate of the principate of Claudius, the defects of his education, his mental weakness, and the character of the persons who so largely controlled his movements, must not be lost from sight.

If their proper weight is allowed to these extenuating circumstances, the general accuracy of Mr. Merivale's portraiture of Claudius must be conceded, and we shall be inclined to take a more favorable view of this feeble and wretched sovereign than has often been entertained. Many of his measures indeed were judicious and liberal, and he seems to have been animated in many instances by a desire to follow in the footsteps of the

great man whose wise and moderate views had given its early stability to the imperial government. As our author well remarks, in speaking of the impression which the numerous busts of this Emperor are likely to produce, —

"If his figure, as we are told, was tall, and when sitting appeared not ungraceful, his face, at least in repose, was eminently handsome. But it is impossible not to remark in it an expression of pain and anxiety which forcibly arrests our sympathy. It is the face of an honest and well-meaning man, who feels himself unequal to the task imposed upon him. There is the look of perplexity in which he may have pored over the mysteries of Etruscan lore, carried to the throne of the world, and engaged in the deepest problems of finance and citizenship. There is the expression of fatigue, both of the mind and body, which speaks of midnight watches over books, varied with midnight carousals at the imperial table, and the fierce caresses of rival mistresses. There is the glance of fear, not of open enemies, but of pretended friends; the reminiscence of wanton blows, and the anticipation of the deadly potion. Above all, there is the anxious glance of dependence, which seems to cast about for a model to imitate, for ministers to shape a policy, and for satellites to execute it. The model Claudius found was the policy of the venerated Augustus; but his ministers were the most profligate of women, and the most selfish of emancipated slaves. This imitation of the measures of the great founder of the Empire is indeed the key to the whole public policy of the Claudian principate. Both at home and abroad we shall find the new ruler of Rome following the lines already traced by his illustrious ancestor." — *Ibid.*, pp. 486, 487.

The military operations of the Empire were carried on with vigor and success, and some additions were made to the territory which acknowledged the Roman sway; new colonies were founded, and fresh life was infused into those which had been previously planted; the list of Senators was revised, and purged of all who were unfit to sit in that august assembly, or who did not possess the requisite means to enable them to support the dignity in a becoming manner, and the vacancies were then filled from the richest families in the provinces; the equestrian order was also scrutinized with a similar view, and new men were called to its ranks; measures were adopted to restore or increase the influence of the national religion by limiting the number of feasts and holidays, and by regulating the foreign cults, which might prove dangerous to the state; unexampled

patience and diligence were exhibited by the Emperor in listening to the appeals which, from time to time, were brought before him as the supreme fountain of justice; and magnificent works were undertaken to facilitate the importation of foreign corn, and to render large tracts of valuable land fit for cultivation, such as the opening of the Portus Romanus near Ostia, and the cutting of an outlet to the Lake Fucinus. Such acts as these would have entitled his name to an honorable place in the Roman annals, if there had been no reverse to the picture; and as it is, his principate must stand in favorable contrast with that of Caius, on the one hand, and with that of his successor, Nero, on the other.

This monster of cruelty and vice owed his elevation to the ambitious machinations of his mother, the younger Agrippina, and he soon showed that he had inherited the worst traits of her infamous character. The first five years of his principate, called by the historians and jurists the "Quinquennium Neronis," were characterized, it is true, by many popular acts, and they were among the famous periods of good government to which the later Romans delighted to look back; but when the boy had once cut clear from his tutor Seneca, and could choose his own counsellors, the inherent defects of his character, which no education could eradicate, showed themselves with fearful violence. One of the first acts of his principate was an unsuccessful attempt to poison the child Britannicus, the only surviving son of the late Emperor; and when the first attempt failed, he caused a second draught to be administered in his own presence. His next conspicuous victim was his own mother, Agrippina, with whom he had quarrelled in order to free himself from her hated control. The first attempt to destroy her was also unsuccessful, and she was accordingly assassinated in her own house by one of the Emperor's officers; and in a letter which he addressed shortly afterward to the Senate, he had the indecency to describe her death as a public benefit, and to attribute to her influence many of the worst acts of Claudius. Three years after the murder of his mother he caused his wife, Octavia, the daughter of his predecessor, to be despatched, in order to gratify the jealousy of the rival who had supplanted her. A long catalogue of noble or

obscure victims followed these three members of his own family, and the stream of blood continued to flow until his own death put an end to his enormities. But it is not for his savage cruelty alone that Nero holds a bad pre-eminence in history. After these early murders his licentiousness became as reckless as his disregard of life.

"He had sunk already," says Mr. Merivale, "to the degradation of singing and playing in public; but there was still a lower depth which his abandoned tastes and thirst for vulgar admiration tempted him to fathom. As a child his talk had been of the greens and blues; his counters had been cars of ivory. The passion, checked by his preceptors, had been cherished up to manhood, and since he had become his own master he had thrown off gradually all restraint in indulging it. From his private circus in the gardens of the Vatican, from the arena of Grecian colonies in Campania, he descended at last to the Circus Maximus at Rome, and, placing a freedman in the imperial tribune to fling the kerchief for a signal, drove his chariot victoriously round the goal, before the eyes of two hundred thousand citizens. The rabble greeted him with delight; so soon had they forgotten Octavia; so heedless were they of the shame of their country. The Senators clapped their hands reluctantly, shuddering the while at the downfall of ancient principles, and trembling, at every shout, for their own lives and fortunes." — Vol. VI. p. 153.

He first introduced the custom of dining in public; and the populace were invited to witness the spectacle of gluttony and intoxication which was thus shamelessly paraded before them. Nor was this all, or even the worst; and "whatever allowance," says our author, "we may make for the indignant exaggerations of later moralists, or for the prurient imaginations of the narrators, it seems impossible to question the fact of the prostitution he encouraged, ordered, and even compelled." It was in the midst of these excesses that the most memorable event of his principate — the conflagration of Rome — occurred. Of this fire Mr. Merivale has given an animated and picturesque account, which is made doubly interesting by his intimate acquaintance with the topography of ancient Rome, but we have left to ourselves no room to cite the passage. By the common people the origin of the fire was ascribed to the command of the Emperor, and it was believed that from the

towers of his villa at Antium he had gazed on the magnificent spectacle, while he amused himself by chanting "The Sack of Troy" to his own accompaniment on the lyre. It was probably to avert suspicion from himself that he began that terrible persecution of the little company of foreigners "to whom the vulgar gave the name of Christians," which Tacitus has described in a familiar passage of the Annals.

The destruction of Rome, and the taxes and confiscations to which Nero had recourse in order to defray the expense of rebuilding the city on a new and more magnificent scale, proved fatal to whatever remained of his early popularity. A deep-seated discontent began to show itself, which at length ripened into a conspiracy headed by C. Calpurnius Piso, a man of rare ability, of great wealth, and of a generous temper, who was, moreover, the representative of one of the most illustrious families in Rome. The conspiracy, however, was discovered before its purpose could be executed; and the conspirators themselves, among whom was the poet Lucan, were convicted and put to death. But soon a more formidable blow fell from another quarter. The discontent which had been partially crushed out in Rome reappeared in the provinces with increased vigor; and in the year of the city 821 the armies of Spain and Germany hailed their respective commanders, Servius Sulpicius Galba and Virginius Rufus as Imperator. At the same time the Prefect of Farther Gaul, C. Julius Vindex, was also eager to raise the standard of revolt, though with no view to his own aggrandizement, and at least two other aspirants for the imperial dignity appeared in other parts of the Empire. Virginius refused the perilous honor which his soldiers were eager to thrust upon him, but entered into negotiations with Galba. Nero was at Naples when he received the first tidings of the revolt of Vindex, and treated the news with contempt, even expressing pleasure at the prospect of new confiscations. But when he became fully aware of the extent of the danger, he lost all his courage, and even fainted at the news of the subsequent revolt of Virginius. He returned to Rome, and made some show of resistance; but after the most pitiful exhibition of pusillanimity he fled from the city without daring to face his enemies, and, taking refuge in the house

of one of his freedmen, caused himself to be put to death by a slave.

"Nero perished on the 9th of June, 821," says our historian, "at the age of thirty years and six months, in the fourteenth year of his principate.* The child borne him by Poppæa had died in infancy, and a subsequent marriage with Statilia Messalina had proved unfruitful.† The stock of the Julii, refreshed in vain by grafts from the Octavii, the Claudii, and the Domitii, had been reduced to his single person, and with Nero the adoptive race of the great dictator was extinguished. The first of the Cæsars had married four times, the second thrice, the third twice, the fourth thrice again, the fifth six times, and, lastly, the sixth thrice also. Of these repeated unions, a large number had borne offspring, yet no descendants of them survived. A few had lived to old age, many reached maturity, some were cut off by early sickness, the end of others was premature and mysterious; but of the whole number a large proportion, which it would be tedious to calculate, were victims of domestic jealousy and politic assassination. Such was the price paid by the usurper's family for their splendid inheritance; but the people accepted it in exchange for internal troubles and promiscuous bloodshed; and though they too had their sacrifices to make, though many noble trees were stripped of their branches under the Cæsars as starkly as the Cæsars themselves, yet order and prosperity had reigned generally throughout the Empire; the world had enjoyed a breathing time of a hundred years, to prepare it for the outbreak of civil commotion, for the fiercer frenzy of international warfare, which are next to be related. With Nero we bid farewell to the Cæsars; at the same time we bid farewell to the state of things which the Cæsars created and maintained. We turn over a page in Roman history. On the verge of a new epoch we would treat with grave respect even the monster with whom the old epoch closes: we may think it well that the corpse even of Nero was unmutilated; that he was buried decently in the Domitian gardens on the Pincian; that though the people evinced a thoughtless triumph at his death, as if it promised them a freedom which

* "The day was said to be the anniversary of the death of Octavia. Clinton, Fast. Rom. I. 52, calculates Nero's life at thirty years five months and twenty-six days, counting from December 15, 790, to June 9, 821; his reign at thirteen years seven months and twenty-eight days."

† "The death of Poppæa had been quickly followed by Nero's marriage with Statilia Messalina, granddaughter of Statilius Taurus, with whom he had previously intrigued, having procured the death of her husband, Atticus Vestinus, during his consulship, to obtain her. Suet. Ner. 35; Tac. Ann. XV. 68, 69. The consulship and execution of Vestinus are placed in the year 818, while Poppæa was still alive. We hear no more of Statilia, except that she survived the Emperor."

they could neither use nor understand, some unknown hands were found to strew flowers on his sepulchre, and the rival king of Parthia adjured the Senate to do honor to his memory." * — *Ibid.*, pp. 358, 359.

As soon as the death of Nero was known, the Senate was called together, and after a little hesitation the election of Galba was confirmed. Before the close of the year 821 the new sovereign entered the city and assumed the imperial functions; but into the history of his brief principate we do not propose to enter. Passing over the next thirty years, which include the principates of seven Emperors, — Galba, Otho, Vitellius, Vespasian, Titus, Domitian, and Nerva, — we come now to Trajan, the greatest of the Antonine or Flavian Cæsars.

M. Ulpianus Trajanus was of somewhat obscure origin, but he had early risen to distinction, and in the latter part of the reign of Nerva he was associated in the imperial dignity. On the death of the aged Emperor he succeeded to the undivided authority in Rome. He was then in his forty-fifth year, and in the full vigor of manhood; and his reign, which lasted nineteen years, was the best and most brilliant period which the Empire had seen since the death of Augustus. The splendor of his military achievements is still attested by the stately column which he erected at Rome to commemorate his victories over the Dacians. But these victories did not constitute his only claim to the gratitude of his countrymen; he built for the use of the citizens of Rome the Ulpian forum, which covered a greater area than those of Julius, Augustus, and Nerva together, "while the open area of the old Roman forum might have been contained within the precincts of the Ulpian basilica alone"; erected a new theatre in the Campus Martius; constructed new public baths; added a tenth aqueduct to the means of supplying the city with water; increased the accommodations of the Circus Maximus; formed a harbor at Ancona for the use of his ships, and built the mole which still protects the port of Civita Vecchia; repaired the great highways of the Empire, and reformed the

* "Suet. Ner. 50. 57: Missis ad senatum literis . . . . . magno opere oravit, ut Neronis memoria coleretur. It is interesting to learn that the tyrant's obsequies were performed by two nurses of his infancy, and by Acte, the partner of his first excesses ten years before."

postal system; systematized the grants to orphans and the children of the poor; took efficient measures to secure a constant and regular supply of corn from the provinces; scrupulously upheld the dignity of the Senate; administered justice in a spirit of clemency; and by many other acts characteristic of a wise and moderate policy acquired a reputation among his contemporaries which none of his predecessors had achieved since the days of the first Emperor. It is commonly believed, indeed, that he suffered, if he did not direct, a general persecution of the Christians; but the evidence in support of this charge is justly regarded by Mr. Merivale as insufficient, though he admits that it is difficult to reject the uniform tradition of the Church. Trajan's conquest of the Dacians is his greatest military achievement, but at a later period he undertook an expedition to the East, which resulted in the annexation of the Greater and the Lesser Armenia to the Empire, and he even carried his victorious arms across the Tigris to the shores of the Persian Gulf. In returning to Rome he was seized with a violent illness, and died at Selinus in Cilicia, early in August, 870, after a principate of nineteen years, "the first of the Cæsars who had met his death at a distance from Rome and Italy, the first whose life had been cut short in the actual service of his country."

Beside the grounds of popularity which we have already mentioned, Trajan was a munificent patron of literature, and Mr. Merivale has, therefore, wisely connected with his account of this principate a chapter on the state of literature during the Flavian period, with notices of Tacitus, the elder and the younger Pliny, Suetonius, Juvenal, Martial, and some other writers of the age. In the main, this survey of the intellectual and moral condition of the Empire is executed with the same ability which is shown in the similar chapters on the state of literature and society in the age of Augustus, though both here and in other parts of his History our author renders scant justice to Tacitus, and in some other respects his views invite criticism. Without attempting to follow him through these observations, we venture to cite a single passage, in which he speaks of the want of a critical spirit in the historical writings of the Romans.

"It was under great disadvantages," he says, "as regarded his materials, that Tacitus compiled the annals of the Cæsars; but there was another obstacle to a true portraiture of the times, in the want of a critical spirit, common to his age, and indeed generally prevalent in the best periods of Roman literature. The Romans were carefully trained to precision in style; they enjoyed the use of a literary language which acknowledged but one dialect; the inflections and syntax of the Latin tongue were the same, wherever spoken by men of education, from the Tagus to the Euphrates. It is commonly said, indeed, that the Latin language is adapted only to a limited range of subjects; but there is surely a fallacy in this remark. The subjects to which it was actually applied within the classical period are limited in number and character, and, accordingly, classical authority is wanting for forms and phrases invented in later times to meet the expansion of the human intellect: but with due allowance for such necessary modifications, it may be said of Latin that no vehicle of thought has, in fact, been more widely or variously employed. Latin has been, and still often is, adopted as the means of communication on themes of moral and natural science, of philosophy and religion, of mathematics and poetry, of law, history, and oratory.* All these subjects and others may still be treated, throughout the civilized world, in that comprehensive dialect which was spoken by Cicero and Tacitus, which has never ceased to be read and written for two thousand years. It combines precision with terseness, strength with grace, expressiveness with fluency, beyond, as I believe, any other language; and it was upon these qualities, accordingly, that the minds of the Romans were fixed, and to the attainment of these their efforts were directed.† They became, almost without exception, as far as their remains allow us to judge, the most accurate speakers and writers of any people in the world. No ingenuity can reduce to the logic of syntax all the eccentricities of Æschylus and Thucydides among the Greeks, while of the best of our own classics there are few, perhaps, that do not abound in grammatical solecisms. But the acutest criticism can hardly detect a flaw in the idioms of Cicero or Livy, Virgil or Hor-

* "Comp. Cicero, De fin. bon. et mal. I. 3: 'Non est omnino hic docendi locus: sed ita sentio, Latinam linguam non modo non inopem, ut vulgo putant, sed locupletiorem etiam esse quam Græcam. Quando enim nobis, vel dicam aut oratoribus bonis, aut poetis, postea quidem quam fuit quod imitarentur, ullus orationis vel copiosæ vel elegantis, ornatus defuit?'"

† Seneca contrasts (Consol. ad Polyb. 21) the force of the Latin with the gracefulness of the Greek language: 'quamdiu steterit aut Latinæ linguæ potentia, aut Græcæ gratia'; and the contrast is no doubt generally just. It may be observed, further, that in his time the full elegance of Latin had not yet been developed by the writers of the Flavian period."

ace, and even the most careless of the Latin poets and historians can rarely be convicted of an error in construction. It is curious, however, to observe how this habitual accuracy deserted the Romans, when they came to dwell on the substance of things instead of the outward modes of expression. To the value of a critical examination of facts they seem to have been almost insensible. Destitute of our mechanical means of verification by notes and references, the use they make of their authorities is correspondingly loose and trivial. The historian, who was not required to guard every statement by clear and direct testimonies, was easily led to read carelessly, to quote from memory, and at random. Conscious that he could not be followed to his sources, and convicted of misusing them, he could scarcely resist the temptation to pervert or gloss the truth. Falsehoods advanced for the credit of the nation or of particular families met with ready indulgence; the habit of falsification, once acquired, could not be kept within the bounds ostensibly prescribed; rhetorical amplifications slid swiftly into direct misstatements; the reputation of a great name gave currency to a lie; the critics of the age of Quintilian, the great age of Roman criticism, lynx-eyed in detecting the abuse of a figure of rhetoric or grammar, lacked the training required for the correction of an error in fact, or for weighing evidence. Roman criticism might be the tact of a spectator in the circus, but it was not the acumen of a judge on the tribunal." — Vol. VII. pp. 305 – 308.

Trajan was succeeded by his kinsman, Publius Ælius Hadrianus, whose principate of twenty-one years, though less brilliant and aggressive than that of his predecessor, was nevertheless characterized by munificence in the erection of works of public utility and ornament, and by an honest endeavor to correct the various evils under which the citizens suffered, either at Rome or in the provinces. One of his first acts was to relinquish the conquests of Trajan in order that he might more certainly secure the safety of the Empire, and his progress through the provinces was doubtless inspired in large measure by a desire to judge for himself as to their actual condition and wants. His early education had been conducted with greater care than that of any of his predecessors, and while still a youth he gave abundant evidence of his quickness of intellect and variety of attainments. At the same time his acquaintance with affairs tended to check any pedantic habits and modes of thought which he might otherwise

have formed. Under these advantages his rise was rapid, and even before the death of Trajan he was popularly designated as his kinsman's successor. This popular choice, it is said, was confirmed by the Emperor on his death-bed; and both the Senate and the army acquiesced in his elevation to the vacant throne. Soon after his accession he began his tour of inspection through the provinces, everywhere leaving proofs of his cautious policy, his liberal views, and his love of letters; and it was not until the year 887 of the city, four years before his death, that he finally returned to Rome, and began to restore and beautify it after the fashion of his predecessors.

"At Rome," says Mr. Merivale, "we behold in him the busy and earnest administrator, surveying from the centre of his vast dominions the character and conduct of his subordinates, keeping all his instruments well in hand, assiduous in selecting the best agents, and strict in requiring an account of their agency, putting to use the local and personal knowledge acquired by so many years of travel and inspection. Amidst this unceasing round of occupation, it was his recreation to behold the glorious buildings still rising at his command in every quarter of the city. It is almost wearisome to turn again and again to the subject of the imperial architecture, which has formed a feature in the narrative of almost every reign in succession; but we are bound to remark, that the edifices of Hadrian at Rome surpassed in magnificence all the works of his predecessors.* His temple of Rome and Venus, with its double cells, placed fantastically back to back, was at once the largest in size, and the most splendid in its features, of the religious edifices of the capital. Raised on a lofty basement on the eastern slope of the Velia, and looking down into the hollow in which the Colosseum was injudiciously placed, it might command even more remark and admiration than that masterpiece of imperial grandeur. The mausoleum which Hadrian created for himself on the further bank of the Tiber far outshone the tomb of Augustus, which it nearly confronted; of the size and dignity which characterized this work of Egyptian massiveness, we may gain a conception from the existing remains; but it requires an effort of imagina-

* "Spartian, Hadr. 19, gives a long enumeration of these works. It was remarked that Hadrian modestly refrained from inscribing his name upon any one of them, except the temple he dedicated to Trajan. Among other undertakings he employed an architect named Decrianus to remove the colossus of Nero, the face of which had been altered into a Sol, from its place on the slope of the Velia to another site. He does not seem to have accomplished the design of Apollodorus to erect a companion statue to Luna."

tion to transform the scarred and shapeless bulk before us into the graceful pile which rose column upon column, surmounted by a gilded dome of span almost unrivalled, and terminating in the statue of the beatified builder, whose remains reposed below. The Mole of Hadrian was, next to the Colosseum, the most distinguished specimen of the style of architecture which we designate as Roman, whencesoever really derived; which by raising tier upon tier of external decorations, after the number of stories required within, adapted to civil and domestic purposes the monumental grandeur of the Grecian. Besides these and other erections of his own, Hadrian is noted as the restorer of many famous buildings of an earlier date, such as the Septa, the Pantheon, the temple of Augustus, and the baths of Agrippa. But his services in these cases may have been but slight. However liable Rome was to suffer from fires, earthquakes, and inundations, we can hardly suppose that these structures, most of which had been repaired by Titus or Domitian, could already require again extensive renovation." * — *Ibid.*, pp. 479 – 481.

The reign of Hadrian's adopted son and successor, Antonius Pius, is chiefly of interest on account of the personal character of the sovereign, which is one of the most amiable and attractive in the whole series of Roman Emperors; and we pass, therefore, to a brief notice of the reign of Marcus Aurelius, a man of far greater ability and of equal worth. The principate of this Emperor covered a period of about nineteen years, and was marked not only by repeated incursions of the barbarians on the frontiers, and by a devastating pestilence in Italy, but also by the first appearance of those symptoms of decay in the Empire which a few years afterward became everywhere apparent. In his military operations, Aurelius, though a student and a philosopher rather than a soldier, was generally successful, and the victories which he gained in the field, in his later years, either in person or by his generals, fully redeemed the reverses which the Roman arms had experienced at the commencement of his reign. But he could not restore the early faith of the Romans, or substitute for it

* "The Tiburtine villa of Hadrian is entirely destroyed. Its site is said to be ascertained, and its limits, eight miles in circuit, may perhaps be traced. It embraced, besides the residence and quarters for the guard, buildings modelled on the Lyceum and Academy, the colonnade called Pœcile, the Prytaneum, &c. at Athens, a Canopus which may have represented some edifice at Alexandria. In its gardens was a space laid out after the fashion of the Vale of Tempe, a Tartarus, and perhaps, on the other hand, Elysian Fields. Spartian, Hadr. 26; Victor, Cæs. 14."

his own philosophical speculations. It was the misfortune of this wise and humane ruler, that he lived too late to exercise the conservative influence which at an earlier period might have strengthened the bonds of the Empire, and too early to comprehend in all its bearings the great revolution which even now threatened the state.

With the death of Marcus Aurelius, as we have already stated, Mr. Merivale closes his "History of the Romans under the Empire." The period which is thus included within his narrative, and of which we have now taken a brief survey, is the most brilliant in the annals of imperial Rome. Beginning with the foundation of the monarchy by Augustus, and its consolidation by that sagacious statesman and his first two successors, we have within the limits of two centuries the record of all her greatness and glory as the mistress of a world, which for the most part had been conquered by the Republic. From the accession of Commodus, on the death of Aurelius, we begin to trace the waning fortunes of the Empire, and thus enter on a new phase of her existence. The revolution which took place within the next century and a half was even more momentous than that which is described in the first two volumes of Mr. Merivale's work; and every reader must regret that the story which he has related with such rare ability has not been rounded into completeness according to the original intention of the historian. But even with this deviation from a well-considered plan, and with the defects in its execution which we have pointed out at the commencement of this article, his History must always stand as a splendid monument of his learning, his candor, and his vigorous grasp of intellect. Though he is in some important respects inferior to Macaulay and Grote, he must still be classed with them as one of the second great triumvirate of English historians.

Art. XI. — CRITICAL NOTICES.

1. — *A Treatise on the Law of Subrogation, with full References to the Civil Law.* By S. F. Dixon. Philadelphia: George W. Childs. 1862. 8vo. pp. 188.

This little volume is precisely what scientific men would call a *monograph*. It treats of one special topic, and adheres to it closely. But the topic is itself of great and growing importance; and it is treated admirably. The word *subrogation* is of recent introduction among English and American lawyers. The thing itself, however, has always existed in the common law; nor could it be wholly absent from any system of law which purported to regulate the contracts and business of society. But in the beautiful system of the civil law the principles of subrogation have been fully developed, and defined and co-ordinated with all the exactness and skill which characterize every department of that law. Mr. Dixon shows himself to be thoroughly acquainted with all English and American authorities which bear upon this topic; — and he brings to the illustration of these authorities a profound and most careful study of the civil law. It is to this fact that we ascribe most of the very great merit of this Treatise. It is one of the proofs that we have not been quite so independent of England in other respects as in our political constitution, that our lawyers have so generally adopted the English prejudice against the civil law. Of England's power over our ways of thinking, it might be said, as was said of Rome in reference to the influence of her civil law, She governs us now "haud ratione imperii, sed imperio rationis." But with this difference. The law of Rome was perhaps the most admirable system of municipal law ever devised by man. It did nothing but good, — it could do nothing but good, when it reformed and civilized the fragmentary and incoherent codes — if codes they should be called — which prevailed in Western Europe in the Middle Age. But the influence of English law upon American law has been, if in part good, in part also evil, — so far, at least, evil, as it has prevented the more diligent study of the civil law, and the more free reception of its principles, when they would have helped to remove unquestionable blemishes, reduce into order disturbing anomalies, and supply wants which all acknowledge. We hope that this little work will be as widely diffused and as much studied as its merits deserve; and we hope this all the more because every chapter proves not only the author's intelli-

gent and thorough study of the civil law, but the great utility of this study to one who would treat at once accurately and exhaustively a practical topic of our own law.

In his Introduction Mr. Dixon states, that it is his design to trace the doctrine of subrogation to its original source in the Roman law, and to compare the principles of Roman jurisprudence on that subject with the rules applied to subrogation at the common law, and more especially with the law as understood and administered in the United States. Very few are the authors who have carried their design more completely into effect.

Subrogation cannot be better defined than in the first two lines of the Treatise. It is the substitution of another person in the place of a creditor, to whose rights he succeeds in relation to his debt. For example, a purchaser of land finds that a creditor of the seller has a mortgage upon it. The purchaser must pay the debt or lose his land. If he pays it, and the mortgage is discharged, some other creditor, with a right posterior to the mortgagee's, but prior to the purchaser's, might come in. But if the purchaser has the right of subrogation, he may insist that the mortgage shall not be discharged, but transferred to him. Then he is substituted for the creditor who was mortgagee, and has all his rights as purchaser with the rights of a mortgagee superadded. This would be subrogation in favor of a purchaser. It may also exist in favor of a joint debtor, of a surety, of a surety of a surety, of the holder of negotiable instruments, of a trustee of insurers, of a legatee, or, in some cases, of a mere stranger. All these different forms and aspects of subrogation are considered in the different chapters of Mr. Dixon's volume. It closes with a very able chapter on the nature of the rights acquired by subrogation. We recommend this Treatise to all our legal readers. A man must have very little business who does not find it useful.

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2. — *La Littérature Indépendante et les Écrivains Oubliés.* Par Victor Fournel. Paris. 1862. 12mo. pp. 484.

The tendency of the present age, as the author of this work says in his Preface, is towards erudition. The critic and literary historian seeks not so much to lay open the great periods of literary activity, as to satisfy the curiosity of his readers upon the more obscure intervals which have heretofore been overlooked. M. Victor Fournel has as much as any writer contributed to satisfy the lovers of recondite learning. His History of the Pont-Neuf, published two years ago, abounds

in curious research. No one possesses more fully than he the talent of grouping facts apparently insignificant, and forming a narrative so vivid, and so devoid of all ostentation, that we lose sight of the scholar in the pleasure we derive from the pleasant talker.

The present volume abounds in interesting details not to be found in common literary histories. It embraces the non-classic portion of the classic age of French letters. There is little system in the arrangement of subjects, though this deficiency does not affect the interest of the work. The chapters on the burlesque and on the influence of Scarron's Virgil are among the best. The interminable quarrel known as that of the Ancients and Moderns is also given in full. When we think of the numberless books, pamphlets, and articles, of every degree of merit, which this quarrel called forth, we may well ask whether either party knew what it was contending for. It filled the journals of the day, and found its way into fables, letters, and songs. Even the Harlequin of the fair-booth emitted his sage opinion upon the respective merits of "Clovis" and the Iliad.

Nor are the greater names of French literature omitted in the survey of M. Fournel. Corneille, Racine, and Molière have also a dark side not generally known. They hence find their place in *La Littérature Indepéndante*, which may safely be ranked among the valuable contributions to the literary history of the seventeenth century.

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3. — *Dictionnaire d'Etymologie Française d'après les Resultats de la Science moderne.* Par AUGUSTE SCHELER. Brussels and Paris. 1862. 8vo. pp. 340.

THIS book, small and compact for a work of such a nature, is all that its title promises. It is purely a dictionary of French etymology, — nothing more, — as no definitions are given, nor are words to be found in it which no more belong to the French language than to any other modern speech that may have borrowed them from the Latin or Greek with scarcely an alteration in the spelling. But, on the other hand, words of common life are explained as far as the state of modern philology will allow.

Hitherto the student of the French language has been sadly at a loss for information respecting the etymology of the most common words. Roquefort is unsatisfactory; and as to such works as those of Menage, Nicot, and others, were they easily accessible, they are far from solving even superficial difficulties, and consulted alone would often lead astray. Diez, a new edition of whose Etymological Dictionary of the Romanic

Languages has just appeared, was the only trustworthy authority, and he is far from giving all the words of the language. It is upon the basis of his labors that M. Scheler has undertaken the work before us, completing the partial researches of the German scholar by his own ample contributions, and by a judicious but liberal use of the new productions of Belgian etymologists, at the head of whom stands Grandgagnage. The result is a work in every respect valuable, and truly meeting the requirements of "modern science."

Another point not to be overlooked is the compactness of the *Dictionnaire d'Etymologie*. It is the most comprehensive manual of a language we have ever had the good fortune to possess, containing just what is needed, and not a word more. For this the author deserves thanks. The temptations to be diffuse were great, and he has overcome them. It is a relief to use such a work after unmentionable folios and quartos which generally give less information. Yet some words are discussed at length. For example, *aller* has more than a column. Many have written pages to solve the riddle of this verb. M. Scheler briefly sums up the arguments of Diez in favor of *aditare*, already proposed by Muratori; then the refutation of Langensiepen, who saw the origin in *addere*. The fanciful etymologies of Menage are stated, also the arguments in favor of a German parentage. True, in the end no result is attained; but in this respect the author is no more unfortunate than his predecessors, and the reader has had the shortest possible exposition of all sides. It is something to know that we know nothing. Perhaps in no book can this truth be reached sooner than in an etymological dictionary.

But we have chosen an extreme case. In general a clear, certain origin is set down with all possible brevity, the historical changes of the word being given when necessary for a full understanding. Dialectic differences of speech are considered. In short, it is a work that no one aiming at more than a mere superficial knowledge of the French will wish to be without.

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4. — *Ten Years of Imperialism in France: Impressions of a "Flaneur."* Edinburgh and London: William Blackwood & Sons. 1862. 8vo. pp. 222.

THERE is no lack of new books on France, and this is one of the best. The author, though an Englishman, seems to enter upon his subject without any trace of national prejudice. Indeed, we fancy at times that he has been rather dazzled by the splendors of imperialism,

— at least he never fails to do full justice to all that deserves praise. The work opens with an interesting survey of the changes that have taken place in Paris during the last ten years. A chapter entitled "What is the Cost, and who pays," ably presents instructive statistics, while in succeeding chapters on "Garrison and Camp," "Terrestrial Providence and its Drawbacks," "Terrestrial Providence and its Advantages," the author evinces more than mere surface knowledge of his subject, as he discusses at some length the systematic intermeddling of the present government of France in all things, — the fertilizing system which has of late years produced such a sudden hothouse growth in every branch of industry. But by far the most valuable portion of the work is that devoted to the effects of the new international commercial treaties between France and England. The "Flaneur" gives an amusing sketch of the feelings of the population at the first flood of cheap English goods, — of their satisfaction on instituting the comparison with their own finer fabrics. Never did English manufacturers more grossly miscalculate than in blunderingly seizing upon that opportunity to rid themselves of what they could not sell at home. They failed completely in introducing a "fashion" for their articles when it would have been so easy, and now they must bear the penalty till time shall have worn off the first unfavorable impression.

We could wish the "Flaneur" had stopped here, and not endeavored to speak on the present literary aspects of France. He evidently was not at home here, and he had said enough on other topics not to betray his want of information on what no one would have asked of him. With this exception, his book is deserving of all praise.

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5. — *Mémoires d'un Mormon.* Par L. A. BERTRAND. Paris: Dentu. 1862. 12mo. pp. 323.

M. BERTRAND is the first native French convert to the faith of the Latter-Day Saints who has published an account of his conversion and his experience. He writes in the sincerity and earnestness of thorough conviction, assured that the institutions, morality, comfort, and promise of the Mormon religion are the best ever given to man. He has no misgivings about the mission or inspiration of the Prophet Joseph, and he accepts the word of this seer as the unquestionable and sublime voice of the Most High. For the living President of the Church, Brigham, the Wise and the Holy, (whom he does not, like M. Isambart, style Le Jeune,) he has unbounded veneration. All gifts and graces are centred in this King of the Saints. He is

orator, statesman, magistrate, and oracle, not only by office, but in genius and character. His despotism is absolute, and M. Bertrand rejoices in the fact, for it is a fraternal and paternal despotism. It is to this French devotee a pleasing thought that there is only *one party* among the Mormons. They are blessed with universal suffrage. Their democracy is complete. But, happily, they all and always vote in one way, and vote just as their prophet expects them to vote. There is absolute unanimity; nor would any dissenting voice be tolerated. He who should give a recusant vote would be cast out of the Church as an impious apostate.

M. Bertrand is a hearty apologist for the Mormon polygamy. His descriptions of the industry, the morals, the growth, and the resources of the Mormon people agree substantially with those of M. Rémy, whose elaborate work came recently under our notice. His view of the future of the people, as might be expected, is quite different. It is not a superstition which is doomed to fade and fall, but the great church of promise, which is to redeem the world and to endure forever. M. Bertrand sees immense hope for the Saints in the convulsions of the present time, in the decay of other religions, and especially in the breaking up of the American Union. He has no doubt that they will take possession of their earliest abode in Missouri, and build there a temple such as the world has never seen. America first, and then the Old World, are destined to pass into the hands of the people of God. As an apostle of Mormonism in his native land, he has thus far had indifferent success. The government has not favored his projects. The clergy of every sect have used their influence against him. His preaching has been suppressed. His liberty has been in danger. The converts are few, and no large body of recruits has been sent from the capital of the civilized world to the New Jerusalem of the Desert. Yet his confidence is strong; he believes in the Lord and his Prophet; and he is ready for any suffering and any sacrifice. He can console himself for slow progress and ill success in his mission by the interest which his well-written volume will be sure to excite.

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6. — *L'Époque des Maccabées. Histoire du Peuple Juif depuis le Retour de l'Exil jusqu'à la Destruction de Jérusalem.* Par J. Augustin Bost. Paris, Strasbourg, et Genève: Veuve Berger Levrault et Fils. 1862. 12mo. pp. ix. and 429.

Emulous of the fame and the success of M. Michel Nicolas, another Protestant minister of France, M. J. Augustin Bost has followed the history of the *opinions* of the Jews in the "intermediate" period

of their annals, with a general history of the period. He essays to tell what they were and what they did in the five centuries which intervened between the captivity and the final dispersion. The theological position of M. Bost, we should judge, is nominally "Evangelical." Yet he evidently has more sympathy with Ewald and the German school than he dares to admit in positive words.

Of course no one but a profound Talmudical scholar could say anything new about the epoch of the Maccabees. There is nothing left to be deciphered of ancient monuments; and the history of Josephus has been pretty thoroughly analyzed, condensed, and rearranged. The merit of M. Bost's volume consists in its clear, idiomatic, and spirited style, its freedom from exaggeration in the sketches of characters, and its happy use of incidental facts. It is an easy book to read, and, for one not familiar with this period of Jewish history, very instructive. The author cannot lose the chance of an occasional fling at the Romish Church, and his Protestant prejudice breaks even through his profession of charity. He is pleased to say that the Roman Church "can only defend with advantage most of its dogmas in placing itself upon the *human* point of view, though that is something; it must abandon the Biblical ground and the historical ground. It meets needs which Protestantism does not entirely satisfy, and in this direction it can press some valid pleas; instead of this, it abandons its true aims, to take from us ours, and so cuts, wounds, and transfixes itself."

M. Bost does not attempt any elaborate analysis of the characters which come under his view, yet he is able to give us good pictures of the principal personages, — of Ezra, Alexander the Great, the several Ptolemies, the various members of the Maccabean family, Herod and his sons, and the traitor Flavius Josephus. Some of his statements about men, however, seem to us questionable. We are not aware that he has any authority for saying that Agrippa was made the friend and protector of the Christians by the *interest which he took in Paul;* and the conjecture which he drops, that the carpenter Joseph in Egypt might have been prevented by prudential reasons from setting up his claim to the throne of Judæa in opposition to Archelaus, is ludicrous in the extreme. The famous Bethlehem massacre M. Bost reduces to "twelve or fifteen infants." We cannot consider him very happy in his historical parallels; and he reminds one of Dr. Cumming, in his assertion that the Crimean war was God's vengeance upon Russia for hindering the free circulation of the Bible in its domain. He is more accurate in referring our American war to the scandalous efforts to build up and perpetuate slavery; yet we cannot see the meaning of his question, if the "revival" of religion in these last years had not something to do with

the election of President Lincoln. His account of the sects and parties of the Jews in the Maccabean age is full, and for the most part accurate. He is more tolerant to the Pharisees than most writers of his school, and reminds us rather of Colani than of Calvin in his estimate of this abused class. Not all the Pharisees are hypocrites. On the whole, we are able to speak well of this work of M. Bost, as giving some fresh impressions on a theme well worn and exhaustively treated.

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7. — *Revue des Musées d'Italie. Catalogue raisonné des Peintures et Sculptures exposées dans les Galeries publiques et particulières et dans les Églises. Précédé d'un Examen sommaire des Monuments les plus remarquables.* Par A. LAVICE. Paris: Jules Tardieu. 1862. 12mo. pp. xl. and 490.

THE expectation which such a title as this awakens will not be disappointed. The art-catalogue of the Museums, Galleries, Churches, and Monuments of Italy, which M. Lavice has prepared, is complete, excellently arranged, with graphic descriptions, candid appreciations, and very acute original remarks. M. Lavice is an able and independent critic of art, not bound to the authority of great names, yet by no means eccentric or iconoclastic. He makes no disguise of his dislike of the Pre-Raphaelite style. On the other hand, he is an ardent lover of classic art, and sees the glory and strength of modern forms in the study and imitation of ancient beauty. His Preface abounds in striking observations, and guarantees ability in the book which it introduces. It is mainly a plea for the Greek sculpture, but many incidental topics are treated. We cannot share the conviction of M. Lavice, that the photographic process will soon give us the natural colors of objects along with their light and shade. Experiments in that direction have not been thus far successful. We take exception, too, to the critic's maxim that *use* determines beauty. The necessary exceptions to that maxim are numerous enough to destroy its force. It is not *use* which makes a cloud in the sky, or a crest on the wave, or a volcano, or a King Charles spaniel, beautiful. Many beautiful things are not useful, and many useful things are not beautiful. The more useful the donkey and the town pump, the uglier they often are.

Some of the criticisms of M. Lavice boldly defy the popular verdict. For instance, while he acknowledges the remarkable mechanical merit of the group of the Laocoön, he emphatically denies that it is a fit subject for pure art, or that it is to be compared with the Farnese Hercules or the Belvedere Apollo. It is degrading to religion, as he views

it, that genius should show the meanness and the vengeance of the gods. A true artist would make the gods more noble. The "Strike, but hear," of Themistocles before the raging Eurybiades, offers, in M. Lavice's view, a much finer theme for a sculptor than the horrible writhing of the priest and his sons in the folds of the pythons sent by vindictive Athena.

In the opinion of this critic, it is the hard school-boy study of so many Greek words that fixes an enduring disgust in the minds of most persons for everything Greek. He would have Greek *things* studied, rather than Greek *words*. These classic forms were what Raphael studied. He disagrees with Mr. Ruskin in his estimate of Gothic architecture. He does not want any dim religious light in the churches, nor does he prefer terror and mystery to the pleasure and comfort which the forms and the ornaments of the Grecian style so send in upon the soul. He would have the house of God a joyful rather than a dreadful place. "Never will I allow," says he, "that a temple must be lugubrious to be found in harmony with the spirit of the Gospel, since I would always repel all suppositions which question the infinite goodness of God. Your poetry, I answer, is ancient, sombre, and wrathful. It makes you prefer a vast tomb to the Parthenon, the Christ of the Last Judgment by Michael Angelo to the Christs of Raphael's Transfiguration, the Moses to the Apollo, the Shipwreck of Medusa to the Atala. My preference is quite of another kind. My poetry is the sun shining in a blue sky; a pure air which I breathe with full lungs; a noble, generous, and graceful beauty; a tranquil freedom, the joy of conscience, and the love of humanity."

Upon the famous statue of Bavaria in front of the "Ruhmeshalle," at Munich, M. Lavice has some interesting strictures. He calls attention to the fact that a front view of this statue at a little distance places it as a gigantic bust on the top of the building behind it; and that the symbolic female, if she should attempt to enter her own temple, would have to bend herself double in the process. This remark explains the unsatisfactory impression which the statue, so grand in its proper proportions, makes upon every one who sees it in its present place.

M. Lavice does not agree with that American critic who calls Raphael's St. Cecilia a feeble picture, or with those who find the blue and green colors of Carlo Dolci effeminate and disgusting. He has but moderate regard for the grandiose masses of Michael Angelo, and while he speaks of the pictures of Fra Bartolomeo with high praise, he wholly omits to notice the frescos of Fra Angelico. In Naples, he describes the streets as well as the monuments; and his position on the Roman

question may be inferred from the remarks of one of the *Conservatori*, apropos of the Roman beggars, which he quotes approvingly. "I have reckoned up with considerable care the edifices bequeathed, with considerable endowments, to the poor of Rome, and I have proved that, if, instead of making convents of them, there should be given to them the destination assigned by their donors, a part of these buildings and endowments would serve to shelter and feed the infirm or sick poor, and with the rest workshops could be made for the able-bodied men. It would then be easy to prevent beggary and to find hands for the culture of the soil."

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8. — *Nouvelle Biographie Générale depuis les Temps les plus reculés jusqu'à nos Jours. Avec les Renseignements bibliographiques et l'Indication des Sources à consulter.* Publiée par MM. Firmin Didot Frères, sous la Direction de M. LE DR. HOEFER. Tome XLI. Paris. 1862. 8vo. pp. 516.

THE great biographical encyclopædia, commenced by Dr. Hoefer in 1852, and which was to be finished in five or six years in twenty or twenty-two volumes, has already reached its forty-first volume, and after eleven years is still far from completion. If the remaining six letters of the alphabet are treated as fully as those that have gone before, the whole series will come near to fifty octavo volumes, of more than five hundred pages each, in double columns and close print. In the arrangement, style, and thoroughness of the several articles, we can discover no abatement of ability. There is ample evidence of faithful research, of critical sagacity, of skill in the selection of materials, and of unwillingness to rely on the statements and notices of other similar dictionaries. Many errors of previous compilations have been corrected, and the articles in each department have been intrusted to writers in sympathy with their subjects. We must except from this general statement, however, the *American* articles, which do not improve as the volumes proceed. In the article on Theodore Parker, for instance, of half a column in length, the real efficiency, influence, and position of the radical leader are not at all appreciated, and we have the strange and unaccountable mistake of representing his "Discourse of Matters pertaining to Religion" as a "kind of religious manifesto *in favor* of the authority of the Church, the sacred character of the Scriptures, and the Divinity of Christ"! The only authority cited is the "Cyclopædia of American Literature, Vol. II.," which gives in plain terms a diametrically opposite statement of the position of the arch-heretic. In the article upon Prescott, which is quite long and able, the

writer makes the mistake of saying that Mr. Edward Everett was Minister at Madrid, confounding one brother with another. But in the American department the gravest fault is the "sin of omission." Very few of the more distinguished American names, whether in politics, science, art, letters, law, or theology, are noticed. In a volume published less than six months ago, we might reasonably look for the names of some who have distinguished themselves in our present war, and who are far enough on in the alphabet to come under remark; but not one is mentioned. No English or French writer of local history is omitted; but we look in vain for Palfrey, the historian of New England, and Parkman, the biographer of Pontiac. Pierce the President is illustrated at length; but there is no allusion to Peirce the mathematician, who has been honored in Europe, and has been able to correct the errors of foreign astronomers. Poets far inferior in fame to Pierpont are celebrated in these columns; but his name is not there. We find ten articles with the heading of "Phillips," yet none of them American. The only "Paine" noticed in the work is the notorious "Thomas Paine."

In this, as in all other cyclopædias, we cannot help observing, as the work goes on, a tendency to compress and condense. In the earlier volumes, there were many articles of ten pages or more. In the last volume, we have noticed but two articles, those on Raphael and on Pythagoras, which reach that length; and most of the articles, even on the eminent names in French literature, are comparatively short. Racine is finished in seven pages, Rabelais in six, Regnard in six, Quinet in one. Mythological personages have been gradually dropped. Less space is given to mere dignitaries, whether of church or state. This compression is doubtless judicious, yet it gives to the work an unequal appearance, and makes it seem hurried.

As a whole, the work is accurate, comprehensive, well digested, and very cheap, when its amount and variety of matter are considered. A thousand columns of close print for four francs cannot be considered exorbitant.

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9. — *Lives of the Engineers, with an Account of their principal Works; comprising also a History of Inland Communication in Britain.* By SAMUEL SMILES. With Portraits and numerous Illustrations. Vol. III. [George and Robert Stephenson.] London: John Murray. 1862. 8vo. pp. xxi. and 512.

MR. SMILES'S Life of George Stephenson is one of the best and most popular biographies which have been published within the last ten years; and the author has decided wisely in including it in his Lives

of the Engineers, instead of attempting to write an entirely new memoir. During the interval which has elapsed since the first publication of the work, some new facts and anecdotes have become known to him, and in the reprint which forms the substance of the volume now before us these have been inserted in the proper place; some passages have been omitted, in order that the topics discussed in them might be treated with greater fulness elsewhere, or because they had little connection with the principal subject; and numerous verbal alterations have been made. These additions, omissions, and changes, so far as they relate to the life, character, or works of George Stephenson, are obvious improvements; and if no other additions had been made, they would render the memoir still more worthy of the popularity it has enjoyed. But the author has deliberately sacrificed all the advantages which his work would have derived from this careful revision, by incorporating with the text a short account of the life of Robert Stephenson, instead of appending it to the memoir of the elder Stephenson, as a separate and independent biography. It is true that there was a closer relation between the two than ordinarily exists between a father and a son; but this connection was not of such a character as to render it expedient to narrate their lives in one memoir, and the disadvantages of writing biography after such a method are so obvious, that it is to be hoped no subsequent writer will be tempted to follow the example. There was enough of incident in the life of Robert Stephenson to give interest to a separate memoir; and certainly his achievements as a railway engineer, and above all in the construction of the Britannia Bridge, were sufficient to justify such an honor to his memory. As it is, the reader of Mr. Smiles's volume who is already familiar with the career of the elder Stephenson, and who wishes to become acquainted with the life of the younger, must laboriously cull the facts from a large amount of old and irrelevant matter; and the same remark is equally applicable to the Life of George Stephenson, in the form in which Mr. Smiles has seen fit to print it. If the passages relating to his son which have been inserted were removed, the continuity of the narrative would be unbroken, and every one could see at a glance how carefully Mr. Smiles has revised his earlier work, and how much it has been improved.

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10. — *Something of Italy.* By W. Chambers. Edinburgh and London: W. and R. Chambers. 1862. 16mo. pp. 133.

Under this modest title, Mr. William Chambers has brought together, from the excellent journal of which he is the principal editor, a

short series of papers, containing the record of a three months' excursion in Italy, during the spring and summer of 1862. Of the eleven chapters into which his volume is divided, four relate to Rome, and three to Naples and its environs. They do not present anything which is new, or which would be likely to escape the notice of any intelligent traveller; but they afford a very agreeable and graphic picture of the portions of Italy visited by him, and of some of the most striking peculiarities of the people. The style is clear and straightforward, as it is in all of Mr. Chambers's productions with which we are familiar, and, in spite of the want of novelty in its details, the book may be read with both pleasure and profit. It is illustrated by some very good woodcuts, for the most part copied from photographs.

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11. — *Essays.* By Henry Thomas Buckle, Author of "A History of Civilization in England." With a Biographical Sketch of the Author. Illustrated with a Photographic Portrait. New York: D. Appleton & Co. 1863. 12mo. pp. 209.

Whatever may be thought of the worth of Mr. Buckle's services to historical literature, and of the merits of his philosophical speculations, it will not be denied by any one that he was an able, ingenious, and often eloquent writer. These characteristics are obvious on every page of his larger work, and they may be traced with not less clearness in the little volume now before us. It comprises only two papers, — one a review of Mr. Mill's book on "Liberty," first printed in Frazer's Magazine, we believe, two or three years ago, and the other a lecture on "The Influence of Women on the Progress of Knowledge," read before the Royal Institution in London, in March, 1858. The first of these papers is the more able and elaborate of the two, and is marked by the intellectual boldness and the ardent love of freedom by which Mr. Buckle's History is characterized, while it also exhibits the same arrogance and dogmatism, and the same positiveness of statement. To Mr. Mill hearty and unstinted praise is rendered, and many of the incidental observations are not less admirable for the clearness and force with which they are presented, than for their intrinsic weight and importance; but the asperity with which Mr. Justice Coleridge is attacked deprives a portion of the argument of much of its just weight, and some other parts of the article are also open to severe criticism. The lecture on "The Influence of Women" is, on the whole, feeble and unsatisfactory, exhibiting Mr. Buckle's weakness rather than his strength, and much of it is occupied with the discussion of secondary topics. Its

design is to show that women are naturally more inclined to the deductive method in reasoning than to the inductive method, and that, by their influence on their children in early life, they have restrained the tendency of men to adopt the latter method to the exclusion of the former. In this way, according to Mr. Buckle, they have exerted a large influence on the progress of knowledge, and have indirectly opened the way to some great discoveries in science.

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12. — *The Golden Treasury of the Best Songs and Lyrical Poems in the English Language.* Selected and arranged with Notes by Francis Turner Palgrave, Fellow of Exeter College, Oxford. Cambridge: Sever and Francis. 1863. 16mo. pp. xiii. and 405.

The worth of such a collection as Mr. Palgrave has here attempted to form must depend mainly on the editor's familiarity with the literature from which the specimens are derived, and on the purity and catholicity of his taste. In both of these respects Mr. Palgrave's qualifications are of a very high order, and his task has been executed with a fidelity and diligence which leave nothing to be desired. He informs us in his Preface that "Chalmers's vast collection, with the whole works of all accessible poets not contained in it, and the best Anthologies of different periods, have been twice systematically read through," while "he has been aided throughout by two friends of independent and exercised judgment"; and if any confirmation of the soundness of this claim to thoroughness and a discriminating choice of materials were needed, it would be found in the internal evidence afforded by the volume itself. In regard both to the completeness and the excellence of its selections, it is superior, we think, to any work of the kind which has fallen under our notice. It is divided into four Books of unequal length, including, respectively, specimens of the poetical productions of the ninety years ending with the death of Shakespeare, in 1616, of those of the residue of the seventeenth century, of the eighteenth century, and of the deceased poets of the first half of the present century. In the first division, Shakespeare is the central figure; in the second, Milton; in the third, Gray; and in the last, which is nearly as long as the whole of the other three, Wordsworth fills the largest space. These selections have been made almost uniformly with taste and judgment; and beside those pieces on which the common consent of all cultivated persons has set the stamp of an enduring popularity, — such as Milton's L'Allégro, Il Penseroso, and Lycidas, Gray's Elegy, and the like, —

every reader will find many pieces, which, if less known, are of scarcely inferior excellence, and which he will be glad to possess in a form so convenient for constant use. We ought to add a word in praise of the typographical beauty of the volume, which is, without exception, one of the best specimens ever issued from the American press. In respect to paper, type, and binding it would not be easy to suggest any alteration for the better.

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13. — *The Graver Thoughts of a Country Parson.* By the Author of "The Recreations of a Country Parson," and "Leisure Hours in Town." Boston: Ticknor and Fields. 1863. 16mo. pp. 307.

As every one will readily surmise from the title, "The Graver Thoughts of a Country Parson" consists of a selection from his ordinary pulpit discourses; and, in fact, the volume comprises sixteen sermons, with a preliminary essay, entitled "Sundays Long Ago," treating of Sunday in Scotland, and of the feeble and fading impression often produced by the preacher's words. As a sermon-writer, Mr. Boyd impresses us much less favorably than as an essayist. His style is less simple and effective; the thought is too often commonplace; and the general treatment of his theme is seldom striking or original. It might not, perhaps, be fair to compare him with Robertson or Martineau; for all his writings show that he is deficient in the intellectual qualities which give so much interest and power to their printed discourses. We are inclined to think, however, that his sermons are fully equal to the average productions of many of the most celebrated preachers in the English Church at the present day; but there are not many congregations in this country that would be content to sit long under preaching which is not more pointed and forceful. Mr. Boyd's "Graver Thoughts" are marked, indeed, by a deep and evident sincerity, and by a profound conviction of the importance of the truths which he enunciates; but beyond this, their merits as a whole are not of a high order.

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14. — *A Talk with my Pupils.* By Mrs. Charles Sedgwick. New York: Published and sold for the Author by John Hopper. 1863. 12mo. pp. 235.

Mrs. Sedgwick's reputation as a teacher of large experience and rare success will secure for this little volume a wide circle of readers, who will be amply repaid for the time given to its perusal. With no pretension to originality of thought or eloquence of expression, it is characterized throughout by great good sense, and by a special adapta-

tion to the wants of those for whom it was intended. Simple and unpretending in form, it is precisely what its title indicates, and, with its wealth of practical wisdom and pleasant anecdote, it can scarcely fail to exercise a healthful influence on every reader. Among the topics of which it treats are "Daughters and Sisters," "Relations with the Poor and Friendless," "Relations with Servants," "Travelling," "Marriage," "Days of Mourning," and "Moral Courage"; and there are in all seventeen chapters or addresses.

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15. — *Broadcast.* By NEHEMIAH ADAMS, D. D. Boston: Ticknor and Fields. 1863. 16mo. pp. 210.

THIS is a book of religious aphorisms, jotted down by the author to be used in the composition of sermons; and they are what we should expect to find them, as drawn from the repertory of one of our best preachers. It is not the writers of pithy aphorisms that are the most capable of continuous and compact discourse. Faced bricks look better in a house than they do as they are handled one by one; and the graceful members of a comely rhetorical edifice need to be seen in their proper places to be seen to the best advantage. These detached *morceaux* from Dr. Adams's note-book are remarkable for the fine choice of words and shaping of sentences, and often admirable as expositions of weighty sayings of holy writ, or of momentous thoughts on subjects of infinite magnitude; but they have just that lack of completeness and rotundity which we should hope to find in brief passages from the sermons for which they were destined. Of these last the author cannot print more than the religious public will receive with the profound gratitude with which those already issued have been welcomed.

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16. — *The Spiritual Point of View; or, The Glass Reversed. An Answer to Bishop Colenso.* By M. MAHAN, D. D., St. Mark's-in-the-Bowery Professor of Ecclesiastical History in the General Theological Seminary. New York: D. Appleton & Co. 1863. 12mo. pp. 114.

As we stated in our last number, Bishop Colenso's argument against the authenticity of the Pentateuch and Joshua turns mainly on their unhistorical character, as tried by the modern standard of historical composition, and especially on their lack of numerical coherency and accuracy. Dr. Mahan shows that the very characteristics on which the authenticity of these books is disputed are marks of their genuine-

ness and substantial truth, being common to them with all the surviving historical literature of a remote antiquity. He is particularly happy in establishing a close parallelism in these respects between the sacred writers and Herodotus, who sometimes uses round numbers seemingly at haphazard, though he had been a diligent inquirer after historical truth, and plumed himself on his accuracy. If it be maintained that the very words of the Hebrew Scriptures were divinely dictated, of course no such analogy as this can shield them from assault; but their having the faults and defects common to all early essays at historical writing by no means impairs their claim to be regarded as trustworthy records of Divine revelation.

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17. — *Christian Self-Culture; or Counsels for the Beginning and Progress of a Christian Life.* By LEONARD BACON, Pastor of the First Church in New Haven. Boston: American Tract Society. 1862. 16mo. pp. 255.

WE rejoice to avail ourselves of a new opportunity of bearing testimony to the eminent services rendered to religion and humanity by the American Tract Society at Boston. Our quarterly list has chronicled the names of some of its publications, but of course could convey no adequate idea of their worth. Its issues are always timely. Since the outbreaking of the present rebellion, it has busied itself largely on literature for the army, including abridged biographies of such men as Hodson and Havelock, collections of hymns, tunes, and prayers for worship in the camp, several editions of Cromwell's Soldier's Bible, religious appeals adapted to the exigencies of military life, and directions for the preservation of health, the treatment of wounds, and the care of the sick. At the same time it has sent forth hardly less than its usual variety of juvenile stories, and of books suited to the needs of divers classes of readers.

The work named at the head of this notice seems to us to merit emphatic commendation. Without departing from the standard of strict orthodoxy as to the Divine agency in the religious life, Dr. Bacon discusses the necessity and the methods of man's agency in the culture of the Christian character, with the wisdom which marks the experienced guide in the way of salvation, with entire freedom from technical phraseology and limiting dogmas, and with a tender earnestness which must give his words entrance and power wherever the book shall fall into the hands of one who sincerely desires to educate himself for heaven.

18. — *Memoirs of Mrs. Joanna Bethune.* By her Son, the Rev. GEORGE W. BETHUNE, D. D. With an Appendix, containing Extracts from the Writings of Mrs. Bethune. New York: Harper and Brothers. 1863. 12mo. pp. 250.

THIS is a beautiful tribute to a mother's excellence, and, what is strange, it is not overdrawn or highly colored, but with even less of eulogy than the life-record warrants. Mrs. Bethune was a woman of superior native endowments, thoroughly educated, from early childhood tenderly conscientious, and from early womanhood fervently pious, possessed of rare wisdom and energy for the works of Christian benevolence to which she devoted herself, and capable to an unusual degree of controlling the activity of others for the valuable ends which were always near her heart. In some departments of domestic charity she was a pioneer laborer, and for many years her house was a recognized centre of religious and philanthropic influence for the city and neighborhood of New York. Her son — the heir of her talents and virtues — did not survive her long enough to complete these Memoirs, which have been carried through the press by a friendly hand, and with adequate editorial fidelity.

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19. — *The Trial of the Constitution.* By SIDNEY GEORGE FISHER, Author of "The Law of the Territories," "The Laws of Race as connected with Slavery," &c., &c. Philadelphia: J. B. Lippincott & Co. 1862. 8vo. p. 391.

WHY could we not have had such books as this while they might have been of avail in averting our present calamities? Blind confidence in the impregnable strength of our Constitution has induced wanton and foolhardy trials of it by almost every political party, and by several of the administrations which have represented, not the whole people, but their own respective parties. Meanwhile it has been the popular creed, and the too general belief, that our ship of state led a charmed life, and could not founder or be wrecked. Mr. Fisher, in the book before us, points out the inherent and necessary imperfections of our Constitution, in part entailed upon it by the inevitable past, in part incidental to that compromise of widely dissilient interests without which there could have been no political union, and in part due to the lack in our fathers, not of foresight, but of the superhuman prescience which alone could have discerned a future that had nothing like it in the past. The work is written in a reverent and loyal spirit. The author regards the rebellion of the Southern States as resulting in great part from the number and magnitude of the questions and interests which our Consti-

tution ignores, or leaves unsettled. But while this conflict brings out unsuspected weaknesses, it also develops hitherto hidden powers in our national structure; and Mr. Fisher by no means despairs of the republic, which cannot survive its existing perils without being through their instrumentality strengthened and purified for a long and glorious future.

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20. — *Political Fallacies: an Examination of the False Assumptions, and Refutation of the Sophistical Reasonings, which have brought on this Civil War.* By GEORGE JUNKIN, D. D., LL. D. New York: Charles Scribner. 1863. 12mo. pp. 332.

DR. JUNKIN, late President of Washington College in Virginia, was driven from his office and his residence by the intense anti-Union feeling which preceded and inspired the Ordinance of Secession. He had, in the division of labor among the members of a small Academic Faculty, statedly instructed the Senior Class in the Constitution of the United States, and in the course of lessons immediately preceding his resignation he had incurred among his pupils dissatisfaction, obloquy, and insult. This volume indicates a familiarity with the political and constitutional history of the country, a profound and earnest patriotism, and at the same time kind and conciliatory sentiments toward the author's late fellow-citizens. It is of especial value as an exposition of the several popular fallacies on the assumption of which the right of secession was claimed and is vindicated. Among these fallacies a prominent place is assigned to that which makes allegiance due primarily to the State, secondarily to the country. The author believes that the Union can and will be restored, — not reconstructed, — and that there will spring up more amicable relations between its now separated sections than existed while neither party knew how much there was to respect in, and to hope or fear from, the other.

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21. — *Correspondence on the Present Relations between Great Britain and the United States of America.* Boston: Little, Brown, & Co. 1862. 8vo. pp. 153.

THIS is a correspondence between Hon. Charles G. Loring and Mr. Field, an English lawyer. The letters were not designed for publication, but have been printed by the advice of Mr. Loring's friends, and with the consent of his correspondent. They relate directly and chiefly to the shallow views and malign judgments of a large portion of the English press and public with reference to American affairs, but they

incidentally discuss most of the leading topics involved in the present war. The one phrase that would most appropriately characterize Mr. Loring's letters is "the meekness of wisdom." The genesis and spirit of the Federal Constitution, the causes and the *animus* of the rebellion, the legitimate supremacy of the Union, the disastrous consequences of its permanent dissolution, the relations of slavery and abolitionism to the war, are all treated so far as seemed necessary to disabuse an Englishman of misconstruction and prejudice. We should suppose that the author's aim could not fail of success wherever his pamphlet might find a reader, were it not that Mr. Field remains unconvinced to the last. Indeed, with the judicial gravity and profound solemnity that characterize Mr. Loring's pages, there is something almost farcical in the Englishman's reassertion over and over again of propositions repeatedly disproved, as if he had made up his opinions under a pledge never to resign or modify them.

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22. — *The Iron Furnace: or, Slavery and Secession.* By Rev. John H. Aughey, a Refugee from Mississippi. Philadelphia: William S. and Alfred Martien. 1863. 12mo. pp. 296.

Mr. Aughey, a native of New York, and up to the epoch of the secession an approved teacher and Presbyterian minister in Mississippi, for the sole crime of loyalty to the Union, was subjected to a filthy, loathsome, and almost fatal imprisonment; was heavily ironed, grossly abused and insulted, and destined for speedy execution on the gallows. He twice made his escape, and the second time, through almost incredible exposures and perils, succeeded in reaching the lines of the Union army. This book is, for the most part, the story of his experience in "the iron furnace." It is interesting, as every genuine personal narrative is interesting, and it is of very decided value as a picture of Mississippi society, manners, and morals, and as illustrative of the pestilential influence of slavery on character.

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23. — 1. *My Diary North and South.* By William Howard Russell. Boston: T. O. H. P. Burnham. 1863. 12mo. pp. 602.
2. *The Same.* New York: Harper and Brothers. 1863. 8vo. pp. 222.

We like this Diary; for it seems to us genuine and honest. The author has neither deep insight nor keen foresight, and in his style he commits more cockneyisms than he records Americanisms. But we

can trace in his narrative no other purpose than to relate what he saw and heard; and as regards facts, we are inclined to think that his story was generally nearer the truth than our Northern newspapers, and accords better with what we know now, than with what we believed when his letters of like tenor with the Diary came to us in the London Times. His abhorrence of slavery, and of its brutalizing influence on the dominating class, is strong enough to satisfy the severest demand of the antislavery sentiment; and he has not one word of approval or sympathy for the rebellion, which he regards as unprovoked and unjustifiable. His sins are, that he does not think so well of our army as our newspaper correspondents profess to think, and that he denies the possibility of a reunion between the North and South, — both of them topics on which there has been a wide diversity of opinion among equally patriotic Americans, and even in the same mind at different times.

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24. — *Elements of Military Art and History: comprising the History and Tactics of the separate Arms; the Combination of the Arms; and the Minor Operations of War.* By Ed. de la Barre Duparcq, Captain of Engineers in the Army of France, Professor of the Military Art in the Imperial School of Saint-Cyr. Translated and edited by Brigadier-General George W. Cullum, Chief of Staff of the General-in-Chief of the Armies of the United States; late Aide-de-Camp to Lieutenant-General Scott; and Chief of Staff and of Engineers of Major-General Halleck, while commanding the Departments of the Missouri and Mississippi. New York: D. Van Nostrand. 1863. 8vo. pp. 456.

General Cullum, whose authority as an accomplished scholar is fully equal to his reputation as an officer, has selected this book for translation, as the best manual of the kind in either the French or the German language. It seems to us fully to justify his choice. While it gives the general reader as much as can be known with certainty of the ancient tactics, it furnishes those in training for military office, and (we are sorry and ashamed that there is need of specifying such a class) those who have become officers without military education, with thorough and systematic instruction in the elementary principles of their art. At the same time, it bears marks of its authorship by a man whose culture transcends professional limits; and we are astonished to find how attractive some of the dryest topics can be made by the broad range of classical and historical illustration which he has at ready command.

25. — HOLLY'S *Country Seats; containing Lithographic Designs for Cottages, Villas, Mansions, etc., with their accompanying Outbuildings; also, Country Churches, City Buildings, Railway Stations, etc., etc.* By HENRY HUDSON HOLLY, Architect. New York: D. Appleton & Co. 1863. 4to. pp. 171. Designs 34.

MR. HOLLY'S introductory pages conciliate our confidence in his skill and judgment as an architect. We do not refer to a concise History of Architecture, which is admirably well written, yet was not necessary to the work, but to a general chapter on the selection of building-sites, materials, and various incidental questions of taste and convenience. On all these topics the author shows himself master of his profession. We are particularly pleased with the stress he lays on "Truthfulness in building"; for if there be in our public and domestic architecture any one nuisance that more than all others craves to be abated, it is the paltry and never successful attempt to copy stone and the effects of stone-work in wood and plaster. The designs are adapted to a wide diversity of situations, demands, and pecuniary ability, and are without an exception tasteful and, in the genuine sense of the word, picturesque. The simplest and cheapest are even the most pleasing to the eye, while they demonstrate that beauty in building need not be a luxury for the few, but is within the reach of the many. Moreover, we would say emphatically that beauty may be attained, not only without cost, but with a positive saving of money. The 2½ per cent for which plans and specifications may be procured from a competent architect falls very far within the charge for "extras," which is an inevitable burden on the man who attempts to be his own architect, or who commences building with the rough plans furnished by a mere builder, which without fail require extensive modifications in their progress, and costly alterations after the structure is completed.

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26. — *The Works of* FRANCIS BACON, *Baron of Verulam, Viscount of St. Albans, and Lord High-Chancellor of England.* Collected and edited by JAMES SPEDDING, M. A. of Trinity College, Cambridge; ROBERT LESLIE ELLIS, M. A., late Fellow of Trinity College, Cambridge; and DOUGLAS DENON HEATH, Barrister-at-Law, late Fellow of Trinity College, Cambridge. Volume V. Boston: Brown and Taggard. 1862. Small 8vo. pp. 456.

THE new firm of Messrs. Taggard and Thompson has assumed the charge of this edition of Bacon, and will bring out the remaining volumes as rapidly as they can be carried with accuracy through the press.

Our readers need not that we repeat from our former notices the claims of this edition to be regarded as superior to all others in completeness and correctness, or its merits on the score of typography and mechanical execution. The fifth volume contains the closing portion of the Natural History, several of the Latin treatises, and the New Atlantis, which, apart from its worth as embalming the social and ethical optimism of the times and the man, is of special interest as exhibiting the poetic and imaginative side of Bacon's mental character.

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27. — *Legends of Charlemagne; or, Romance of the Middle Ages.* By THOMAS BULFINCH, Author of "The Age of Fable," "The Age of Chivalry," etc. Boston: J. E. Tilton & Co. 1863. 12mo. pp. 373.

THESE legends are of hardly less importance, in a literary point of view, than the classic mythology. Besides having been reproduced in various forms and in every generation, they are constantly the subjects of allusion and reference, so that some acquaintance with them is essential to every person who desires to understand all that he is likely to read. Yet hitherto there has been no easily accessible manual of this mediæval mythology, and our knowledge of it has been acquired in miscellaneous ways, and by slow and uncertain stages. The want which was thus felt, though unexpressed, Mr. Bulfinch has supplied. His book has the double merit of being at once a manual of instruction in its own department of literature, and a rich collection of romances charmingly narrated. It bears the characteristics which *his* books must needs bear, — conscientious accuracy, pure taste, symmetrical and graceful finish. His moral nature would not let him do anything with less than his best ability, and his ability is that of an accomplished scholar, a true poet in conception and fancy, (though we know not whether he has ever written verse,) and a writer of exquisite refinement and delicacy of thought and expression. The publishers have issued this book in a form and style worthy of its merits, and have enriched it with well-executed engravings and wood-cuts. We are glad to learn that the same publishers have issued in a similar style of beauty a new edition of Mr. Bulfinch's "Age of Fable."

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28. — *Hellas, her Monuments and Scenery.* By THOMAS CHASE, M. A. Cambridge: Sever and Francis. 1863. 16mo. pp. 220.

THIS is a scholar's itinerary in Greece, and it verifies the formula which we have repeatedly enunciated as applicable to all books of travel,

that what a man brings home from a foreign land is in proportion to what he carries. To those who have not seen this little book, and to those only, it will seem extravagant to say that more of Greece may be learned from it than can be found in any other single book within our knowledge. By Greece, we here mean, not the Greeks, but the land in those permanent features that recall, and those precious memorials that represent, its ancient inhabitants. We would also express our high admiration of Mr. Chase's style, simple, nervous, rhythmical, flexible with the demands of the theme in hand, and showing in every sentence how faithfully the author has obeyed the Horatian precept, —

"Vos exemplaria Græca
Nocturna versate manu, versate diurna."

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29. — *Poems.* By Thomas Bailey Aldrich. New York: Carleton. 1863. 12mo. pp. 161.

Most of these Poems have been printed in the author's former collections; they are here brought together in the blue and gold, which has of late been chosen for, or by, poets as their appropriate dress. Many of these pieces have great beauty of conception, imagery, and expression, and "Babie Bell" alone is sufficient to establish Mr. Aldrich's place among the true poets of the day. This still remains unequalled, though not unapproached. Nearest to it in merit, and among the pieces which their readers would not willingly suffer to pass into oblivion, are "The Unforgiven," "A Great Man's Death," and "Invocation to Sleep." We trust that the author's future poems will invite us to enlarge our catalogue of those to be specified for emphatic praise.

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30. — *The National Almanac and Annual Record for the Year* 1863. Philadelphia: George W. Childs. 1863. 8vo. pp. 698.

This work seems to us perfect in its kind, and even pluperfect; for while it omits no head of information for which one would naturally resort to it, it contains a large amount of valuable and desirable knowledge which we should not antecedently expect to find there, though we should not know where else to look for it. The plan is that of the American Almanac, but much enlarged and amplified, containing, in our estimate, nearly three times the quantity of matter, and including several new departments, among which we are glad to find a list of books published in the United States in 1862. The value of the work is enhanced by several essays on subjects of present or permanent in-

terest, written expressly for this use. Thus we have an article on "Insanity, and Hospitals for the Insane," by Pliny Earle, M. D.; one on "Iron-clad War Vessels," by A. L. Holley; one on "Petroleum Oil." Under the titles of the several States, we have not only names and statistics, but detailed descriptions of whatever is of special interest in their institutions or condition. We have also a list of the civil and military functionaries, and a *résumé* of the finances of the so-called Confederate States, and numerous statistics and tables relating to the principal European countries and the world at large.

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31. — *An American Dictionary of the English Language; exhibiting the Origin, Pronunciation, and Definitions of Words.* By NOAH WEBSTER, LL. D. Abridged from the Quarto Edition of the Author. *To which is added a Synopsis of Words differently pronounced by different Orthoepists.* Revised and enlarged by CHAUNCEY A. GOODRICH, Professor in Yale College. *With Synonyms, Pronouncing Vocabularies of Scripture, Classical, and Geographical Names, and an Appendix of over* 10,000 *New Words.* Philadelphia: J. B. Lippincott & Co. 1863. 8vo. pp. 1319.

THE last *and* in the title of this book denotes *to wit;* for there is no Appendix other than the "Vocabularies" previously named. "Added" in this title means *prefixed*, though we believe that it is generally employed in the sense of *affixed.* The "Synonyms" specified are not a separate table, nor do they indicate one of the *veridical* characteristics of the Dictionary. What is meant by this announcement is, that at the close of the series of definitions given to a word there is sometimes appended, under the heading "SYN.," a list of words that are not synonymous with it, but with no specification of the points in which they differ. For instance, under CUSTOM we have "SYN. Habit; manner, fashion, prescription," each of which differs considerably in signification from *custom.* We notice in the columns of this Dictionary an advanced stage of return from the peculiarities of Webster's orthography; and in no other respect than his orthography can we find fault with Webster, unless it be now and then with his etymological whims, which are more than balanced by instances of rare etymological *clairvoyance.* In the definition of words in common use, in the nice discrimination of shades of meaning through which the capacities of language are opened for the speaker and writer, we have long regarded Webster's Dictionary as second to none; in the definition of scientific and technical terms Worcester's has the advantage. The edition of Webster now before

us, notwithstanding our cavils at the title-page, seems to us in every aspect convenient and valuable. By no means heavy or clumsy, though a thick octavo, it is hardly inferior in utility to the quarto, from which it is condensed in form, rather than abridged in substance. In the hands of the present publishers it can hardly fail to secure extensive circulation and favor.

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32. — *The Pioneer Boy, and How he became President.* By WILLIAM M. THAYER, Author of "The Bobbin Boy," "The Printer Boy," "The Poor Boy and Merchant Prince," "Working and Winning," "Tales from Genesis, in Two Volumes," etc. Boston: Walker, Wise, & Co. 1863. 24mo. pp. 310.

THIS story is written especially for boys, and is accordingly obstructed once in a while in its flow by a mass of didactic matter; but every boy-reader of moderate skill knows how to skip such portions of an otherwise interesting book, and older readers can do the same even more easily. Availing ourselves of this privilege, we read the book at a sitting, the very evening it came into our hands, and we gladly take advantage of the demand for "more copy to make even work," to recommend it to any who may be influenced by our judgment, and to aid, so far as we can, in the circulation of a work which, beyond its importance as an authentic biography, has a peculiar timeliness at the present moment. We hardly need say that the "Pioneer Boy," whose early life is here portrayed, is Abraham Lincoln, and that, beyond the really excellent character of his parents, (neither of whom could write, while his father could not read,) he was wholly destitute of advantages and privileges of every kind, brought up in the severest poverty, in a floorless log-cabin with a single apartment, and in neighborhoods where there was no person or object of any description to stimulate his ambition or even to bring within his cognizance other than the rudest forms of civilized life. Indeed, among the native American backwoodsmen of a Free State, he could hardly have had a home so utterly destitute of the means of mental cultivation; but his parents belonged to the "white trash" of Kentucky, and it may be in the counsels of Providence to emancipate those victims of slavery under the leadership of their born brother. The whole narrative of his early days conciliates for him our respect and confidence, while it explains and removes much that might otherwise convey an unfavorable impression. It is certain that only masterly ability, sterling integrity, and the utmost strenuousness of aim and purpose, could have led him through the successive stages of his elevation to the place where he now stands; and we are

here permitted to see enough of the formative processes and early growth of his character to give us entire confidence in its steadfastness and purity. At the same time, deficiencies on the æsthetic side were certainly to have been anticipated in one who probably never sat at what would in civilized life be recognized as a table, till after he was of age. The world's annals can hardly contain a more curious and wonder-worthy record than we have here of "fact stranger than fiction."

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33. — *The Institutes of Medicine.* By MARTYN PAINE, A. M., M. D., LL. D., Professor of the Institutes of Medicine and Materia Medica in the University of the City of New York; Corresponding Member of the Royal Verein für Heilkunde in Preussen; Corresponding Member of the Royal Medico-Chirurgical Academy of Turin; Corresponding Member of the Gesellschaft für Natur und Heilkunde zu Dresden; Member of the Medical Society of Leipsic; of the Medical Society of Sweden; of the Montreal Natural History Society; and of many other Learned Societies. Seventh Edition. New York: Harper and Brothers. 1862. 8vo. pp. 1130.

THIS work covers the entire ground of physiology, pathology, and therapeutics, and, logical in arrangement, minute in subdivision, affluent in references to other books, and continually referring back or forward to its own pages, it constitutes an admirable syllabus of medical science. This were ample praise. But in addition to this, the successive subjects are treated by Dr. Paine with great conciseness indeed, but with great vigor and earnestness, with frequent originality, and in a style which shows that, when his opinions coincide with those of others, they yet are his through the independent action of his own mind. Then, too, if he agrees with no one else, he is uniformly consistent with himself, his conclusions following legitimately from his premises, and his views on allied departments of science or art bearing tokens that they belong to the same system, and rest on parity of reason. The work must have been largely useful to have reached the seventh edition, which we find, from the Preface, is the result of the fourth revision and partial reconstruction by the author.

NEW PUBLICATIONS RECEIVED.

A Discourse delivered at Spencertown, N. Y., on Thursday, December 11, 1862, at the Funeral of the Rev. Timothy Woodbridge, D. D., who, during his whole Ministry, was the Subject of Total Blindness. By William B. Sprague, D. D., Pastor of the Second Presbyterian Church, Albany. Albany. 1863.

A Discourse delivered on Friday, December 12, 1862, at the Funeral of the Rev. Samuel Osgood, D. D., late Senior Pastor of the First Congregational Church in Springfield. By William B. Sprague, D. D., Minister of the Second Presbyterian Congregation in Albany. Albany. 1863.

The Nation's Hour. A Tribute to Major Sidney Willard, delivered in the West Church, December 21, Forefathers' Day. By C. A. Bartol. Boston: Walker, Wise, & Co. 1862.

A Sermon delivered before the Executive and Legislative Departments of the Government of Massachusetts, at the Annual Election, Wednesday, January 7, 1863. By James Walker, D. D. Boston. 1863.

The Despised Race. A Discourse preached in the Salem Baptist Church, New Bedford, December 28, 1862, by Rev. Henry W. Parker, Pastor of the North Congregational Church, New Bedford, Mass. New Bedford. 1863.

The Constitution our Ark in the Storm. A Discourse delivered in the First Congregational Church, West Springfield, on Thanksgiving Day, November 27, 1862, by E. B. Foster, D. D. Springfield. 1862.

The War and Slavery; and their Relations to each Other. A Discourse delivered in the Old South Church, Reading, Mass., December 28, 1862, by Rev. William Barrows. Boston: John M. Whittemore & Co. 1863.

In Memoriam. A Discourse preached in Worcester, October 5, 1862, on Lieutenant Thomas Jefferson Spurr, Fifteenth Massachusetts Volunteers, who, mortally wounded at the Battle of Antietam, died at Hagerstown, September 27th following. By Alonzo Hill. Boston. 1862.

The Desert and the Promised Land. A Sermon, by E. E. Hale. Boston. 1863.

The Conditions of Peace. A Thanksgiving Discourse, delivered in the First Presbyterian Church, Philadelphia, November 27, 1862. By Albert Barnes. Philadelphia. 1863.

Unconditional Loyalty. By Henry W. Bellows, D. D. New York: Anson D. F. Farnsworth. 1863.

The Annual Address to the Candidates for the Degree of Doctor in Medicine, in the Medical Institution of Yale College, January 15, 1863. By Henry Bronson, M. D., in behalf of the Board of Examiners. New Haven. 1863.

A Discourse on the Life and Character of Dr. Luther V. Bell, read to the Association of Superintendents of North American Institutions for the Insane,

at its Annual Meeting in Providence, R. I., June 10, 1862. By I. Ray, M. D Boston. 1863.

Address of His Excellency, John A. Andrew, to the Two Branches of the Legislature of Massachusetts, January 9, 1863. Boston. 1863.

Speech of Cassius M. Clay, before the Law Department of the University of Albany, N. Y., February 3, 1863. New York. 1863.

How a Free People conduct a long War: a Chapter from English History. By Charles J. Stillé. Philadelphia. 1863.

Union Foundations: A Study of American Nationality as a Fact of Science. By Captain E. B. Hunt, Corps of Engineers, United States Army. New York: D. Van Nostrand. 1863.

Banking Association and Uniform Currency Bill, with Extracts from Reports of Secretary of the Treasury, submitted to Congress in December, 1861, and December, 1862. Washington. 1863.

Union and Liberty. Powers of Congress in Relation to the Slaves, with a Form of Enactment in Conformity thereto. Addressed to a Congressman. Washington. 1863.

Memorial of the Paper-Manufacturers. Washington. 1863.

The Soldier's Book; a Pocket Diary for Accounts and Memoranda, for Non-commissioned Officers and Privates of the U. S. Volunteer and Regular Army. By Captain Robert N. Scott, Fourth U. S. Army. New York: D. Appleton & Co. 1863.

The Eighteenth Annual Report of the Minister at Large in Lowell to the Lowell Missionary Society. Lowell. 1863.

Reports of the Trustees and Superintendent of the Butler Hospital for the Insane, presented to the Corporation at their Annual Meeting, January 28, 1863. Providence. 1863.

Report of the Superintendent of the New England Soldiers' Relief Association, December, 1862. Founded by Sons of New England resident in New York, April 3, 1862. New York. 1862.

A Liberal Education or not. To the Young Men of New England. A Statement of the Condition and Objects of the Chandler Scientific Department of Dartmouth College, and Answers to Questions often proposed respecting an Education and Going to College. By John S. Woodman, Professor of Civil Engineering. Hanover. 1863.

January, 1863. Thirteenth Annual Report of the Association for the Relief of Aged Indigent Females. Boston. 1863.

Supreme Court of Ohio, December Term, 1862. William Wiswall *vs.* William A. Greene *et al.* On Reservation from the District Court of Hamilton County, Ohio. Argument, in Behalf of the Church of the Redeemer, in Reply to the Argument of Messrs. Corwine and Pugh. By H. C. Whitman, of Counsel for the Church of the Redeemer.

Thirty-Seventh Annual Report of the President of Harvard College to the Overseers, exhibiting the State of the Institution for the Academical Year 1861–62. Cambridge. 1863.

Society for the Relief of Aged and Destitute Clergymen. Extracts from Records relating to its History and Objects. Boston. 1862.

Ministry at Large. Twenty-First Annual Report of the Ministry at Large in the City of Providence, presented and read at a Public Meeting held in the First Congregational Church, January 25, 1863. By Edwin M. Stone. Providence. 1863.

Thirteenth Annual Report of the Portsmouth City Mission. 1862. Portsmouth. 1863.

The Annual Report of the School Committee of the City of Chelsea, for 1862. Chelsea. 1863.

A Brief Record of Events in Exeter, N. H., during the Year 1862: together with the Names of the Soldiers of this Town in the War. By Rev. Elias Nason. Exeter: Fogg & Fellowes. 1863.

The Tribune Almanac and Political Register for 1863. J. P. Cleveland, Compiler. New York. 1862.

Catalogue of the Officers and Students of the University of Michigan, with a Statement of the Course of Instruction in the various Departments. For 1863. Ann Arbor. 1863.

A Catalogue of the Officers and Students of Washington University, for the Academic Year, 1862–63. St. Louis. 1862.

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Thirteenth Annual Catalogue of Officers and Students of the University at Lewisburg, Pennsylvania. 1862–63. Lewisburg. 1863.

Actes de l'Académie Impériale des Sciences, Belles-Lettres et Arts de Bordeaux. 3e Série. 23e Année. — 1861. 1er et 2me Trimestre. Paris: E. Dentu. 1861. pp. 313.

Astronomical and Meteorological Observations made at the United States Naval Observatory, during the Year 1861. Published by Authority from the Honorable Secretary of the Navy, Commander J. M. Gilliss, U. S. N. Superintendent. Washington. 1862. 4to. pp. 520.

Chambers's Encyclopædia. A Dictionary of Universal Knowledge for the People. On the Basis of the latest Edition of the German Conversations Lexicon. Illustrated by Wood Engravings and Maps. Parts 55–60. Philadelphia: J. B. Lippincott & Co. Vol. V. pp. 1–384.

Library of Select Novels. No. 225. Aurora Floyd. A Novel. By M. E. Braddon, Author of "Lady Audley's Secret." pp. 170. — No. 226. Barrington. A Novel. By Charles Lever, Author of "Charles O'Malley," "Gerald Fitzgerald," "One of Them," "The Martins of Cro' Martin," "Maurice Tiernay," "The Dodd Family Abroad," &c., &c. pp. 161. New York: Harper & Brothers. 1863. pp. 217.

The Tangled Skein. By Albany Fonblanque, Jun. Boston: T. O. H. P. Burnham. 1863. pp. 217.

Chronicles of Carlingford. A Novel. By the Author of "Margaret Maitland," "The Laird of Norlaw," "The Last of the Mortimers," "The Days of my Life," "The House on the Moor," "The Life of Edward Irving," &c., &c. New York: Harper & Brothers. 1862. 8vo. pp. 306.

No Name. A Novel. By Wilkie Collins, Author of "The Woman in White," "Queen of Hearts," "Antonina," &c. Illustrated by John McLenan. New York: Harper & Brothers. 1863. 8vo. pp. 278.

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Mary S. Peake, the Colored Teacher at Fortress Monroe. By Rev. Lewis C. Lockwood, First Missionary to the Freedmen at Fortress Monroe, 1862. With an Appendix. Boston. 1863. 16mo. pp. 64.

Step by Step; or Tidy's Way to Freedom. Boston: American Tract Society. 1862. 16mo. pp. 192.

The Moss-Rose. By Rev. P. B. Power, Worthing, England. Boston: American Tract Society. 1863. 16mo. pp. 62.

Fire-Light; or Stories for Domestics. By Mrs. J. D. Chapin. Boston: American Tract Society. 1862. 16mo. pp. 96.

Lines Left Out; or, Some of the Histories left out in "Line upon Line." This First Part relates Events in the Times of the Patriarchs and the Judges. By the Author of "Line upon Line," "Reading without Tears," "More about Jesus," "Streaks of Light," etc. New York: Harper & Brothers. 1863. 16mo. pp. 339.

A Present Heaven. Addressed to a Friend by the Author of "The Patience of Hope." Boston: Ticknor & Fields. 1863. 12mo. pp. 172.

St. Paul's Epistle to the Romans: newly translated, and explained from a Missionary Point of View. By the Right Rev. J. W. Colenso, D. D., Bishop of Natal. New York: D. Appleton & Co. 1863. 12mo. pp. 261.

The Life of our Lord upon the Earth; considered in its Historical, Chronological, and Geographical Relations. By Samuel J. Andrews. New York: Charles Scribner. 1862. 12mo. pp. 624.

Springs of Action. By Mrs. C. H. B. Richards, Author of "Sedgemoor," "Pleasure and Profit," "Aspiration," "Hester and I," etc. New York: Harper & Brothers. 1863. 16mo. pp. 357.

The Great Consummation. The Millennial Rest; or, The World as it will be. By the Rev. John Cumming, D. D., F. R. S. E., Minister of the Scottish National Church, Crown Court, Covent Garden; Author of "The Great Tribulation," and "The Great Preparation." First Series. New York: Carleton. 1863. 12mo. pp. 307.

Memorial. Twenty-Fifth Anniversary of the Mount Holyoke Female Seminary. South Hadley. 1862. 12mo. pp. 174.

A Manual of Elementary Instruction, for the Use of Public and Private Schools and Normal Classes; containing a Graduated Course of Object Lessons for training the Senses and developing the Faculties of Children. By E. A. Sheldon, Superintendent of Schools, Oswego, N. Y.; assisted by Miss E. M. Jones, and Prof. H. Krusi. New York: Charles Scribner. 1862. 12mo. pp. 465.

The Employments of Women: a Cyclopædia of Woman's Work. By Virginia Penny. Boston: Walker, Wise, & Co. 1863. 12mo. pp. 500.

Wild Scenes in South America; or, Life in the Llanos of Venezuela. By Don Ramon Paez. New York: Charles Scribner. 1862. 12mo. pp. 502.

A Story of the Guard: a Chronicle of the War. By Jessie Benton Fremont. Boston: Ticknor & Fields. 1863. 16mo. pp. 227.

The Gorilla Hunters. A Tale of the Wilds of Africa. By R. M. Ballantyne, Author of "Hudson's Bay, or Every-Day Life in the Wilds of North America," "The Young Fur-Traders," "Ungava, a Tale of Esquimaux Land," "The Coral Island," "Martin Rattler," etc. Boston: Crosby & Nichols. 1863. 12mo. pp. 408.

Modern War: its Theory and Practice. Illustrated from Celebrated Campaigns and Battles. With Maps and Diagrams. By Emeric Szabad, Captain U. S. A. New York: Harper & Brothers. 1863. 12mo. pp. 284.

Northern Interests and Southern Independence: a Plea for United Action. By Charles J. Stillé. Philadelphia: William S. and Alfred Martien. 1863.

A Treatise on the Law of Promissory Notes and Bills of Exchange. By Theophilus Parsons, LL. D., Dane Professor of Law in Harvard University, and Author of Treatises on the Law of Contracts, on the Elements of Mercantile Law, on Maritime Law, and the Laws of Business for Business Men. In Two Volumes. Philadelphia: J. B. Lippincott & Co. 1863. 8vo. pp. 664, 834.

A Memorial of the Semi-Centennial Celebration of the Founding of Hamilton College, Clinton, N. Y. Utica: Ellis H. Roberts. 1862. 8vo. pp. 232.

An Act to provide a National Currency, secured by a Pledge of United States Stock, and to provide for the Circulation and Redemption thereof. Approved February 25, 1863. Washington. 1863.

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